

MUNICIPAL AFFAIRS.

VOL. VI.

JUNE, 1902.

No. 2.

MUNICIPAL HOUSING IN GERMANY.

BY KARL BÜCHER.

[NOTE.—With the permission of the author, the following paragraphs have been translated by Robert C. Brooks, of Cornell University, from an address delivered by Dr. Bücher in the year 1898, and afterwards published in pamphlet form under the title of *The Economic Duties of the Modern City Community*. ("Die wirtschaftlichen Aufgaben der modernen Stadtgemeinde." Leipzig, Seele u. Co. 1898—out of print). While the reforms proposed by Dr. Bücher are hardly so fully applicable to American as to German cities, the vigor and ability with which he urges them, and the fact that remedies, so radical to many minds, are urged by so high an authority on economic questions, make the article of unusual interest. In justice to Dr. Bücher as well as in explanation of the somewhat fragmentary condition of the translation, it should be stated that, in addition to the housing question, he discusses in the pamphlet above referred to: municipal ownership, poor relief, municipal insurance and other plans for the improvement of the condition of labor, burial by the municipality, and the extension and liberalization of the municipal suffrage.—EDITOR.]

Character of Urban Populations.

Among all the changes which the century just ended has brought to civilized mankind, there is scarcely one of greater importance than the mighty growth of cities. In the century preceding it, it was estimated that a quarter of the population of Germany lived in cities. At the present time the proportion is one-half; while in England more than two-thirds of the population is urban. At the beginning of the nineteenth century there were within the territory of the present German Empire two centers of population with more than 100,000 inhabitants each (Berlin and Hamburg); in 1850 there were five such places; in 1875, 12; while in 1895 there were 28, among which there was one city with one and two-thirds millions, and nine others each with from one-fifth to two-thirds of a million inhabitants.

As is well known, this rapid increase in the population of cities is not a consequence of their own internal growth. It has rather occurred for the most part at the cost of rural centers of population which are either growing very slowly or not at all, and indeed, in some places are falling off in numbers. A change is taking place in the geographical

distribution of the population over the territory of the state. Statistics showing the present character of our city populations reveal this fact very clearly; the majority of the inhabitants of our great cities have moved into them. Thus, for instance, in Berlin, 59.3 per cent; in Dresden, 61.9 per cent; Munich, 64.1 per cent, and in Charlottenburg, 77.9 per cent of the people are of this description. It has come to be regarded as a very favorable condition of affairs when there are to be found in a city one-half so many native as there are alien residents.

Past Mistakes Excusable.

At the beginning of this movement of population to the cities, there were but few who understood its causes and its importance. Even the central governments of the different countries deceived themselves grossly with regard to it; and the forms of municipal institutions which they conferred upon the cities in the first half of the century just passed, however liberal they may seem in comparison with the period which gave them birth, nevertheless proceeded from assumptions which in the course of time have shown themselves ever further removed from reality. In the cities themselves, the people were often feign to content themselves with the old easy-going methods suitable to the social life of a small town, unwilling to see that such methods were becoming always more unsatisfactory.

As, however, after the middle of the century the stream of population city-ward swelled rapidly, and as in places where before thousands had lived together, hundreds of thousands now had to find homes, new and more comprehensive plans became absolutely necessary. Moreover, these plans had to be of a sort not duplicated in previous experience. Streets had to be laid out; building plans devised for whole city quarters; sewerage systems and water and gas works had to be constructed; schools, hospitals, market halls and slaughter houses had to be built. Means of communication through city streets had to be perfected and telephone wires stretched over roofs—in short, city governments found themselves suddenly face to face with a great number of problems which had to be solved in the shortest possible time, while from year to year the number of municipal officials, the city tax rate, and the city debt grew rapidly.

Many of these problems were of so urgent a nature that there was hardly time to settle upon thorough-going methods of solving them; many things which the city might and should have done were left un-

done; others were left either to be carried out by private initiative or to the voluntary activity of public spirited citizens. There was no thoroughly thought-out plan, no unified activity, no definite end nor ideal, embracing all the duties which the community owed to the hundreds of thousands crowded together within its walls. Most of what was done followed foreign patterns, principally those of the older cities of England and France, and the people were satisfied merely to be helped over the more urgent of their present needs without bothering themselves much with regard to the future.

It is far from my purpose to deny that much that is great and magnificent has been accomplished in our large cities during the last generation. Nevertheless I believe that to-day when the growth of cities by leaps and bounds has given way to a more quiet course of further development, the time has come when the superficial work for the needs of the moment must be supplanted by action according to definite plan and purpose. The question can no longer be avoided as to whether the governments of our large cities are really in harmony with the needs of national civilization; whether they are doing those things both for their citizens and for the state which they should and could do, considering the material sacrifices which they demand from their residents. * * *

Altered Relation of City and State.

The principal result of the historical development of the city is the fact that it has lost, in a large part, its former independent sovereignty. This loss of power is founded on the fact that the city has also lost its former economic independence. At the present time, the city with its surroundings is no longer a definitely marked-off whole, but only a dependent member of the greater whole of a national economy. Our industrial population is no longer confined to the city alone, but extends out into the country also. So far as it is settled in cities, it no longer produces goods for the city market alone but for the nation; indeed, very often for the world market. On the other hand, we do not feel ourselves in the least obligated to cover our needs exclusively with the products of local artisans. We purchase our supplies from any place where we find them offered of the desired quality. The city is, therefore, reduced to a plane of economic subordination. It is our problem to satisfy the needs of a people of many millions, and in the gigantic industrial machine necessary for this purpose, the city has become, so to speak, only a small wheel.

Moreover, in correspondence with the development sketched above, cities nowadays have specialized in widely different directions. One is tempted to say that they have become much more one-sided than formerly. During the middle ages, one city was like every other and in each one were found all the institutions and industries necessary for the satisfaction of the wants of the inhabitants. To-day we see one city developing into a residence place; another into a capital of a province; a third becomes a watering place; a fourth a center of industry, each specializing in some particular direction; a fifth perhaps becomes a railroad center; a sixth becomes a fortress guarding the frontier, for all cities are no longer fortified as they were during the middle ages. Everywhere we express in these particular characteristics the fact that each city is really there for the nation, and this is often emphasized even in its external appearance.

With this alteration of the relation of the city to the state, there has also come a change in the relation of the city to its inhabitants. During the middle ages the state had really nothing to do with the individual inhabitant of the city; he could not be subjected to taxation by it nor forced into military service. The state had to look to the city as a whole for these things. The city, as a whole, paid its portion of taxes and furnished its quota of troops. To-day the state practically reaches over the head of the city and touches its individual citizens, imposes taxes upon them, drafts them into the army, orders them to do this and forbids them to do that. This is the first point to be noted.

Collective Action Necessary.

Further, account must be taken of the fact that those narrow associations into which the old city populations were divided and which, so to speak, for centuries held men within the beaten courses of life, protecting and sustaining them, have, with the lapse of time, gone to pieces. This is particularly true of the guilds. To-day the population of the large city is like a heap of sand, the grains of which have been blown together, a simple mass of individuals destitute of mutual relations, passing and repassing continually without knowing each other, often indeed living in the same house without the least troubling themselves about each other. In itself, this would not be so bad were it not for the fact that as a result of the tremendous influx which they have received from the outside, city populations have experienced a complete transformation in their inner make-up. The rapid growth of our

cities depends for the most part upon the fact that the country population is continually delivering more men to the cities than it receives from them. As a result, the city population is made up of men of diverse elements, a condition clearly expressed in their form of government which gives only to a very limited number of inhabitants the right of electing representatives to the municipal council; that is, to take part indirectly in the administration of the city. On the other hand, from three-fourths to four-fifths of the total number of inhabitants of the city are excluded from this right, although they possess to the fullest extent the duties of citizens and particularly the duty to pay taxes. Such a condition of affairs is tolerable only as a transition stage and can be explained only with reference to the whole of the long course of development leading up to the modern city.

As a result of its unusually fragmentary condition certain difficulties occur in the common life of a city population, difficulties which also make themselves manifest in any attempt to care for the best interests of the people, to promote their welfare, to provide for the growth and for the co-operation of the various branches of the municipal corporation itself, which indeed for the most part has only state functions to perform at the present time.

The question therefore arises whether there is not at the present time a possibility and an occasion, indeed, a most urgent occasion, to place the inner life of the city itself in independence, so that the officials of the municipality may again appear to the inhabitants as something other than mere police and administrative instruments of the state. The question also arises whether the municipality of the present day may not amount to something in its economic relations to the individual, whether it is not in a position to bring about a strong union of these countless unrelated individuals and their activities for the general good.

Obstacles—Lower Tone of Immigrants.

The difficulties which obstruct the way to such a goal are indeed very great. First of all, it must be noted that the new-comers in cities belong for the most part to the poor of the cities, if indeed, not exclusively to the laboring class; that many of them come from the country, familiar with conditions which are entirely unlike those present in cities; that neither in their intellectual nor economic education are they completely in harmony with the city population nor completely equal to it. As a result of this continued stream of poor from the country

to the city, phenomena arise similar in some respects to those produced in America by the immigration of Chinese. The contrasts, it must be admitted, are by no means so great, but it can not be denied that the laborers streaming in from the country are of much fewer needs and habituated to a manner of living entirely different from that of the city laborer; moreover, the countrymen accustom themselves only with extreme difficulty to city conditions, and owing to their lower standard of living are in a condition to underbid city laborers. The latter are consequently held back in their development, and in this fact there lies a ground for continued dissatisfaction on the part of the most numerous class of the city population.

Social and Economic Aristocracies.

By way of contrast to this kind of immigration and its effects it should be noticed that directly as a consequence of the movement of population which I have described, the long settled class of city dwellers has increased extraordinarily in wealth. Most of us have observed how within a single generation the value of houses within the interior of cities has doubled, trebled and quadrupled; how gardens and fields which formerly lay outside the city and yielded only very moderate returns to-day yield as sites for buildings twenty times as much and are sold at prices, which over night and without any effort on his part, make the possessor a rich man, able to live on the interest of his investments, or as a landlord to maintain among his numerous tenants the position of a lord of a manor to his dependants. If we add to this that at the same time that the enrichment of the landlord has taken place as the result of the whole growth of the city, the city has also become the seat of large-scale manufacturing, commerce and banking, and consequently attracted to itself a large number of capitalists who in the course of our social development have been arrayed in opposition to the great masses of the laboring population, we have in these contrasts discovered a new difficulty impending in the way of community of interests, community of activities, community of life, community of work for the city population.

This sharp opposition of rich and poor which appears in so many of our large cities and as a result of which the social question emerges in them in its most difficult form, is a condition which profoundly affects the whole inner life of the city. There are indeed, still people who interest themselves in the public life and in the general business

of the community, but there is a still greater number who have absolutely no comprehension nor sympathy for such matters. There are interests of many different sorts, there are purely ideal, moral interests, but there are also purely private economic, material interests, and where the latter find their expression in the affairs of the community it is beyond doubt that the results must be harmful to the city; that such interests are opposed to the common welfare and that they present the most serious obstacles to common activity on the part of the members of the community for the general good. Woe to the city in which interests of this sort dominate!

Social Solidarity the Aim.

What duties arise from such conditions in municipalities? Is there no possibility of working against the disadvantages of modern city life? Is there no possibility of breathing a new spirit of community life into these colossal masses of men, grown up from the earth overnight—such a spirit as will teach them to unite socially, and to respect each other's efforts in their pursuit of the common wealth? I believe there is indeed such a way. It does not lie altogether upon economic territory. But it is my purpose in this paper to consider a number of the economic duties of municipalities, because precisely from these may be most clearly discerned what the general aim must be.

Under the circumstances most men would agree that this purpose must consist in offering the members of city communities something of use in an economic way. Of course the modern city is not in a position to assure each individual a living as the ancient or mediæval city community did. It is, however, in a position to lighten the burdens incident upon the making of his living, to take upon itself the satisfaction of certain needs, or to protect the individual where, because of the selfishness of others, he is incapable of satisfying these needs in a way suitable for a civilized man.

Two fundamental principles must be observed with regard to all action designed to this end by the city. The first consists in avoiding everything that could widen the gulf between social classes. The second consists in doing everything which may awaken and strengthen a feeling of community interest in the city population.

Magnitude of the Housing Problem.

If we examine the various kinds of economic activity carried on in the city, the first thing that strikes our attention is the city itself and

its external growth, the buildings of which it is composed, and the constant building operations going on within it. This growth takes place by the continual development of new streets and of new additions to the city. It is the business of the city to lay out such additions, to develop building plans for them and to prescribe methods of building. In this connection it should be noticed that the traditional building policy of our cities has been of exceedingly doubtful value so far as the welfare of the population is concerned. In the newer quarters of our large cities, the tenement house reigns supreme. To be sure, the streets are laid out in straight lines and are broad enough, but they are enclosed by houses four and five stories high, behind which there is a confused arrangement of rear tenement houses opening for the most part only upon small dismal courtyards situated in the midst of these mighty masses of walls. Such an arrangement, it needs hardly be said, affords neither sanitary nor social advantages. Its principle defect, however, consists in the resulting economic disadvantages. Since under this arrangement it is possible to utilize city land to an extreme degree, to pile story upon story, thus constantly increasing the rents, the value of city land itself is increased to a most harmful degree, for this value depends of course upon the rents received. A further consequence is that speculation has busied itself especially with the purchase of tracts of land which might be taken up with the growth of the city, forced the price of such land as high as possible, and thus increased the cost of building, all such transactions being usually carried on upon a most unsound credit basis.

It is unnecessary to cite particular instances here. The mere mention of these things suffices, for they are well enough known on all hands. From the very nature of the case these conditions result in a continuous increase of the rents paid for dwelling houses in cities and as a consequence of these high rents, continually increasing limitations are placed upon the amount of space in the dwellings. Or, it may be an increasing number of roomers are taken in the hope that by such means the high rents may be paid. When this latter occurs, however, it breaks up the intimacy of family life and exposes both health and morality to the greatest dangers. In this way large masses of the city population suffer continually from the need of better housing conditions—laborers, the lower grade of officials, artisans, small retailers—the two latter classes also suffering under the exorbitant burden of the rents charged for workshops and storeroom which devour the great part of the fruits

of their labor. Many thousands of the people in our large cities are obliged to live in houses in which an existence worthy of a human being is simply impossible.

Possible Remedies.

The evils which result from this overcrowding of houses, from this great massing of people under one roof, evils which for the most part must be referred to the false regulations governing building operations, are by no means to be overcome by the issuing of ordinances limiting the number of persons who may live in a single room; the number of roomers that may be taken, etc. That would amount to punishing the poor renters who are not responsible for the resulting misery. Moreover, what is to be won by assuring even the poorest as many cubic feet of air per capita in their perhaps moist and neglected rooms as are provided for in station houses and prisons? All of these people would willingly live in better houses if they only could. They cannot be helped unless the city ceases to regard building as a purely private business; unless it withdraws the land in its outskirts from the field of private speculation, and once for all puts a limit to the degree of exploitation which this land may experience when used for dwelling purposes.

But how is the city to accomplish this? First of all by making a distinction in its building plans between business streets and residence streets. Business streets may be laid out as heretofore. In this connection, however, tall tenement houses must be considered. In the lower stories of such buildings there are usually to be found business rooms; in the higher rooms, dwellings. For a great many men it is necessary that they shall live in the neighborhood of their business; workshops and storerooms are necessary, consequently a certain necessity exists here to favor large buildings. Quite different is the case with the small neighboring streets which empty into these chief arteries of commerce. Such streets may without danger be made much narrower and in accordance with the smaller width allowed them abutting buildings should be subjected to definite limits as to their height. In such dwelling houses room for one or two families may be found. It will be possible to produce such houses at reasonable cost, because the unsound increase in the price of building lots resulting from the old tenement buildings will not apply here. To be sure it will not be possible to produce dwelling places in these streets cheaper than the dwellings in the principal business streets, and in the existing tenement

houses. But how great will be the advantage resulting from the removal of those gigantic stone buildings which now cover entire sections of the city with their countless rear tenements and basement dwellings into which not a ray of sunlight falls the whole year through, to say nothing of the advantage of setting once for all a limit to speculation which it may not hereafter exceed.

Municipal Housing Advocated.

To be sure it will be a limit only, not an end. This fundamental cancer-like growth of evil afflicting our modern city dwelling arrangements and penetrating with its poison breath the very governing bodies that regulate our city life can only be removed by the city's taking over the ownership of land and the buildings erected upon it so far as it is a question of laying out new streets and new additions to the city territory. I consider the evils of our present housing conditions so great and so difficult that in order to remove them I would hold it justifiable to extend the right of expropriation over the whole territory designed for building purposes. The city should, of course, pay for this land at its full value measured according to previous yield. Afterward it should either sell it again at its purchase price plus the cost of laying out streets, sewerage systems, etc., to those who are anxious to build for their own use (not to building speculators); or, what I should rather recommend, the city should itself build on the land in order to rent the dwellings at suitable prices, and thus be able to exert continuously a tempering influence upon the dwelling house question.

This is a very far reaching proposition, a proposition which runs sharply counter to existing conditions and ordinary opinions. And I would certainly refrain from making it if I had the least hope that the same results could be better attained in any other way. The execution of such a plan presupposes the legislative interference of the state; it presupposes a different sort of communal life in cities; it presupposes a different sort of men in cities. At the present time it is not unusual for those representing building interests to sit as experts in the building committees of city councils, or for speculative real estate companies to exercise a determining influence upon city administration and to determine the nature of the building ordinances it adopts; often the magistrate and the city council exert themselves to raise the price of city lands which the city itself has perchance to sell. In this connection I may be permitted to refer to the storm of indignation which burst

forth in such quarters a year ago when the Royal Saxon Ministry of the Interior issued a decree designed to prevent the extreme exploitation of city building lots, a bill which gave evidence of an extremely high degree of social insight in the administration of this ministry. I am not sure that this decree, necessary and wise as it is, will survive the storm of attack directed against it. If it should be overthrown, the event will show that the powers of darkness and selfishness in cities have grown so much stronger that they cannot be controlled with the usual means at the disposition of the state.

Sanitary Regulations must be Enforced.

The next point in connection with the building affairs of cities is the external transformation, everywhere necessary in the older portion of cities. The old city finds itself, so to speak, in a continual process of moulting. Old houses are continually being torn down and new ones corresponding better to the needs of the time erected in their place. In and for itself this fact is of absolutely no importance. Its purposes are entirely natural and beneficial. But the process is hastened to an unsound degree by the continual opening up of new streets and the widening of others, undertaken in part for reasons based upon the public good, but also in part for speculative reasons. Naturally, many will say in this connection that it has been necessary everywhere to bring air and light into the interior of the city, but very often this need has been far exceeded. Older and smaller houses in which for centuries small manufacturers and shop-keepers had worked and enjoyed their painfully earned incomes were destroyed and their places taken by great display buildings, with spacious storerooms, attractive show windows and so on. As a result, the rents of these new business rooms and dwellings increased to such a degree that people of small means could no longer remain in them. Driven out into the suburbs, they found the making of a living much harder, and this was also the case with the numerous persons belonging to the laboring class who on account of their work must live in the interior of the city if they are really to prosper. In considering such transformations as these, we should not content ourselves merely with looking at the brilliant front side displayed to our gaze, we should look also at the reverse side and endeavor not to sharpen the conflict which the lower middle class is to-day waging for its very existence, by showing favor to the large businesses.

So far then as the housing question is concerned, it goes without

saying that the city can not play the part of an idle bystander. By strict building ordinances it will be able to repress certain practices in the exploitation of dwelling houses, ordinances, for instance, prohibiting the building of houses which have rooms without windows and lighted only by indirect means, etc. But it must go further and issue ordinances with regard to the kinds of dwellings that are to be rented, ordinances that place economic and sanitary principles in the foreground. A system of house inspection should be established to hear all complaints and to examine dwellings which are to be rented, no renting contract to be valid without their consent. We must once for all give up our habit of regarding the renting of dwellings in cities as an ordinary business like any other. For the landlord determines the whole moral existence of those to whom he rents through that which he rents them. If, for instance, he is permitted to rent dwellings without kitchens to whole families, he practically makes family life impossible, for, in the last analysis, family life centers about the kitchen. A house-owner who rents a dwelling unsuitable for living purposes, or one which through dampness or the lack of light and air is hurtful to health is, in my opinion, quite as much deserving of punishment as one who sells unripe fruit or artificial butter.

No doubt much might be done for the improvement of dwellings by co-operative building associations. Nevertheless, it is a false hope that by building small dwelling houses for single families which may later come into the possession of workmen by easy payments, the housing needs of cities may be met. The value of the land even with just building ordinances will remain far too dear to permit the realization of such a hope. Moreover, experience has taught that even if these dwellings do become the property of those for whom they were intended, they may nevertheless be used in such a way that overcrowding and insanitary conditions are not prevented. If public spirit is to make any impression on this question, it can be done only by the erection of suitable dwelling houses for rent, kept permanently under the control of the city, but rented at prices so low as to make impossible the extortion of landlords. * * *

Nothing binds men more closely together than common interests. However discouraging may be the picture now offered by the population of our large cities, however much modern society may seem dissolved into atoms, a consideration of the foregoing will show that there still remains a very considerable feeling for the principle of a com-

munity of interest. For this principle a still wider feeling may easily be created. Economically the city can, even in the present day, be something to us all. To be sure, not so much as the mediæval city which guaranteed a living to every permanent resident, but it may at least make the earning of a living easier for us and protect us against the worst forms of exploitation by our fellow men; it may beautify our existence and make it worthy of civilized mankind. Even the poorest of the city's residents may partake of these benefits. Indeed, they should be especially considered, since their need is greatest. To the degree that each city performs this duty the sense of common interest will grow, indifference will disappear and participation in the public life of the community will become a school from which will issue citizens of the state capable of setting their faces sternly against the hollow war of party phrases, capable of united effort in the performance of their duties to the nation.

REFERENDUM IN PARTY NOMINATIONS.

BY ROBERT H. WHITTEN.

The referendum in nominations is a device that will serve as a very effective check on arbitrary and irresponsible action by the party organization. Under this system no nomination by a party convention will become the nomination of the party, if within a certain time a petition signed by a certain percentage of the enrolled voters of the party is presented asking that the nomination be made by direct vote of the enrolled party members. If the convention at the dictation of the organization proposes a man for office in opposition to what seems to be the wish of a majority of the party members, a petition for a referendum will be presented and the party members will be afforded an opportunity to decide the nomination by a direct vote.

It is not at all probable that the occasion for the actual use of the referendum would often arise, yet the possibility of its exercise would prove most beneficial. The serious threat of the referendum would ordinarily be sufficient to cause the party leader either to accept a compromise or to make the nomination that seemed to be demanded by a majority of the party. His practical common sense would not permit him to risk the loss of prestige that an adverse vote would cost.

A Potential Check.

This optional referendum in party nominations is as superior to the compulsory referendum or the system of direct nominations, which is now very popular with certain reformers and has recently been adopted in Minnesota and Oregon, as the optional referendum in legislation is superior to the compulsory. A system which provides that certain laws after passage by the legislature shall be submitted to the people, on petition of 5 per cent. of the voters, serves as an efficient check on the unrepresentative action of legislators. Like the optional referendum in nominations the occasion for its actual exercise is very infrequent,

but the constant possibility of its exercise prevents much arbitrary action. On the other hand, a system that requires that all laws of a certain kind must be submitted to popular vote, wastes the time of the voter and cumbers the elective system with votes on propositions of no interest to the great majority of the electors or to which they have no objection.

Direct nominations are based on the theory of democratic as opposed to representative organization—conventions are abolished. If the same theory were applied to legislation, all legislatures would be abolished and all laws would be enacted directly by the people. A pure democracy is almost as impossible in party organization as in governmental. Representative assemblies are indispensable. The average citizen has not the time or knowledge necessary to pass on every question. Should he attempt it, his work in the industrial world would suffer. In politics as in industry our aim should be to develop the most economical organization that is compatible with the highest efficiency. By centralizing responsibility and at the same time giving the people an effective veto, the aim should be to make it as easy as possible for the citizen to perform his political duties. This is of course radically opposed to the views of many reformers, who with pure democracy for their ideal would if possible shoulder on each citizen the entire burden of government.

Political Parties Necessary.

Every practical scheme of political reform must frankly recognize the necessity of strong political parties. In government we instinctively demand that the entire responsibility for success or failure be placed somewhere. It is absolutely impossible for the electors engrossed as they are in private affairs to justly bestow praise and blame on each of the numerous public officers. In the existing formal governmental organization there is no officer or body on whom the responsibility can justly be placed. An ingenious system of checks and balances effectually renders this impossible. With no provision for harmony, leadership and responsibility within the formal governmental organization, an extra governmental institution, the political party, has been developed. It is to the political party that we must look for all that we have of governmental harmony, leadership and responsibility.

The founders of our government certainly never contemplated the formation of strong political parties, but under the conditions existing, their development was inevitable. No great reform could be instituted,

no consistent policy continuously carried out without the agency of a strong political party. In order to secure the adoption and retention of desired state and national principles and policies, control must be obtained and held over the presidency, congress, governors, legislatures and a multiplicity of minor elective officials. To secure and retain this control a strong, permanent and well organized party was absolutely indispensable. The persistent, strenuous and gigantic struggles necessary to the attainment of party principles could only be carried on through the agency of strong political organizations.

The Boss.

Coupled with this necessity for strong political parties were the conditions which tended to make them irresponsible. A strong party organization could only be created and kept up by numerous persons taking on themselves the burdens of party labor and management. This labor was so onerous that it could hardly be expected that it would be performed entirely from a sense of duty. Under the prevalent general belief in the value of rotation in office, it was only natural that the party workers should apportion the offices and appointments among themselves, and that there should be no great opposition to the application of the principle that the spoils of office belong to the victor. From this it was but a step to irresponsible party leadership or bossism. The party machine has thus in some cases become a close corporation managed for the exclusive benefit of its members and has been able by fair means or foul to control primaries, conventions, nominations, appointments and legislation, subject only to the condition that it remain true to the main principles of party policy. The machine can override the will of the majority of the party in all minor matters, it can be self-seeking and corrupt, yet the loyalty of the members to the great principles of national policy which can only be carried out through the party make them vote at the polls for the nominees of the machine.

Frankly recognizing the necessity for the party and the party leader, we must strive to make the party machine a truly representative organization and the party boss a truly responsible leader. To do this will require much earnest investigation, consultation and effort. We can as yet do little more than state the problem. Some change in our formal governmental organization will probably be necessary as well as changes in party organization. The extension of the merit system, the adoption of the referendum in legislation, the diminution of the number of elect-

ive offices, the increase of the powers of the governor, the separation of municipal, national and state elections, will all probably assist in the reform. The referendum in nominations though but one among many needed changes, seems to be the one from which we can at present hope to secure the greatest results. It can be easily applied and its advantages are most apparent. It avoids the difficulties of the system of direct nominations while accomplishing the real purpose.

Advantages of Referendum.

The great merit of the optional referendum is that it will very seldom be demanded. Under normal conditions party organization ought to consume very little of the voters' time. The party is an association of men joined together through their allegiance to some few great principles. There is no occasion for two strong factions within the party constantly striving for control. The desire of the individual party member is simply to have in control of the party the men who will further its true interests most. The problem is the same in kind, though greater in magnitude, than that which exists in the organization of every corporation and of every social club or association. Under normal conditions the individual members will give great weight to the opinions of the leaders of the organization, on whom chiefly falls the responsibility of success or failure. Nominations proposed by party leaders in whose capacity and integrity the party members have confidence will seldom meet with serious opposition. The call for the referendum and the rejection of the proposed nomination will be equivalent to a demand for the retirement of the leaders. For this reason and in order to secure harmony between the nominee and the party, it may be advisable, whenever a referendum is called for, to make it also a referendum on the party committee. The choice in the primary would then be between a ticket containing the name of the organization nominee and the existing committee, and one containing the name of an opposing candidate and a committee favorable to him. This would probably prove a most simple and effective method of turning down an incompetent or corrupt district, city or state organization and the possibility of its exercise would serve as a strong additional check on irresponsibility.

A truly representative and responsible party organization means the strongest possible party organization. Party bosses must at present resort to force and strategy to secure obedience to their commands;

they are distrusted and disliked by a large portion of the party members and as a result the number of independent voters is growing. We think of the great strength of the boss, but in reality his strength is weakness itself as compared with the strength of a true leader backed by a representatively organized and united party. The right to the referendum on all convention nominations seems to be the most promising move toward the attainment of responsible party organization, and this will of course result in better city, state and national government.

ART AND EDUCATION.

BY GEORGE E. BISSELL.

We are the foremost nation in the world in the mechanic arts, commercialism and all that goes to make a nation great in material things. For this we are indebted to our institutions, which, first of all, foster and encourage the freest individualism. The power to push, the willingness to push and the satisfaction to be derived from pushing are ours.

The New and the Old Worlds.

We are past masters in this art, but in developing is this direction we have ridden rough shod over some of the amenities which go so far to make life an agreeable function. As a people we are somewhat brusque, and it is difficult for us to get on without more or less friction. Nations with infinitely less natural and acquired intelligence are masters in the art of agreeable intercourse, politeness and consideration. Indeed, they seem to be inborn characteristics of some European nations, notably those in which art is an important part of all things, of public and private buildings, richly decorated without and within, and of all public utilities. Whichever way one may turn he is met by harmonious combinations. Nature and art go hand in hand through the length and breadth of those staid old countries, and the people in daily contact with such agreeable surroundings are unconsciously moulded along similar lines and act in harmony with these outward conditions.

Other great factors are the churches, in which are found the masterpieces of the greatest artists; and in the presence of these sublime conceptions, multitudes worship daily. From babyhood to decrepit age all revel in art, and this daily contact with the beautiful quietly moulds the character and creates an unerring taste, not only in things artistic, but in the proprieties of life.

From the contemplation of the harmonious conditions existing in

the Old World, sometimes called an effete civilization, turn to our own very fresh, crude and in many ways exasperating conditions. A most serious problem is presented—its betterment in the direction of all that has made some European capitals so delightful and so well worth living in. Our first efforts must be the amelioration of incongruous conditions, the checking of tendencies towards the bizarre, meretricious and ugly disfigurements which are constant irritants to a nervous people who should be brought into contact only with things harmonious and quieting. We cannot set ourselves right along these lines in our usual rushing way of doing things; we have been too long getting into this condition for that sort of treatment; we must begin at the bottom and build on the sure foundation of the education of the masses, and the starting point is in the slums, the lowest social strata. In other words, a vigorous healthy art sentiment must have its foundation in the masses instead of the educated minority; with the latter art is more or less a fad; dilettanteism is only possible among the wealthy, educated classes.

Need of Art.

Art, according to my conception of it, is an all-round, very practical sentiment entering more into the affairs of life than is generally believed and an undoubted necessity in public education. Its importance cannot be overestimated in assisting one to higher ideals and that graciousness which makes intercourse easy and agreeable in every phase of one's experience. I am sure most persons will agree that American cities are much in need of improvement along more graceful lines, and I doubt if a healthy art sentiment had prevailed during the past fifty years, whether such obnoxious, unsightly, straddling elevated structures as traverse our city from end to end would have been possible. Other ways would have been found, subways would have been built, and four of our noblest as well as most populous avenues would have remained open to the cheerful rays of the sun. Other structures perhaps less obnoxious, but still extremely objectionable, rear their unsightly hulks heavenward, sacrificing all comfort. An all pervading sense of the fitness of things, which is the underlying principle of art, would have solved this problem also.

Now all this happens in the face of and in spite of the cultured classes who are numerically too weak to make their protest felt and who cannot therefore stand for public opinion. The fact that below

them there is no public opinion on these issues is the fatal weakness of this intelligent minority. Its influence begins and ends with itself. The remedy for this helplessness is obvious; we must educate the majority until there is a public opinion so powerful that the violators of our privileges will find it necessary to have an ear to the ground and take their cue from what they thus hear. But how is this public sentiment to be created? How are the people to be educated to such a degree as to make them a dominating factor in all that concerns the highest welfare of our cities? The key is the public school.

Cultivation of Art Appreciation.

Our public schools stand as high as any in the world. All that can be done along the lines for which they were intended is well and completely done. By law children between the ages of seven and fourteen years are compelled to attend school daily. It is possible, therefore, to lay here foundations for an interest in the æsthetics of life, to create a widespread interest in all that concerns the construction and decoration of the city, and to cultivate and arouse a civic pride which is of paramount importance in all communities.

But this education cannot be added as a separate course to an already full curriculum; it would not be practicable or wise. If the experience of the Old World stands for anything, this problem can be solved here as it has been solved there. We have not sanctuaries filled with masterpieces, open daily and free to the public; that is our misfortune. But this we can do, and with our well-known aptitude to learn everything quickly and well, in a generation or so we may arrive at the same results it has taken centuries to accomplish in the Old World. Cover the walls of all public school rooms with art works, illustrating the subjects of interest to us as a nation. Our history, thus illustrated, would be a perpetual lesson in history as well as in art and a patriotic inspiration which would make enthusiastic Americans of the thousands of children sitting in the presence of these works daily. Illustrations of the noblest temples, buildings and great monuments of the world would form unerringly the taste of children in architectural design; and so on through all fields and upon all subjects susceptible of such delineation, bearing in mind always that only the noblest types and themes should find place in schoolroom. Our public school buildings should be made veritable temples in all that goes to influence the sensitive minds of children.

It is universally known that the most impressionable period in life is in the budding age of youth, practically covered by the school age, from seven to fourteen, and all the vast army of children under the daily tutelage of the best works of our best artists, covering all important themes, means that these children go out into the world with tastes formed in correct lines and high ideals of public duty. Impressions made at that age are indelible, and the importance of right impressions upon all things cannot be overestimated. I do not think it a wild statement that in one generation of such object lessons, the minority who have the means and intelligence to lead public opinion will have a majority at their back—a vast army of indefatigable workers who will settle all questions of public utilities and decorations along lines which will make for the best interest and highest good. Civic pride, such an important factor in the success of a city, might then become the controlling spirit.

PICTURES IN THE PUBLIC SCHOOLS.

WORK OF NEW YORK PUBLIC EDUCATION ASSOCIATION.

BY WINIFRED BUCK.

When foreigners speak of the materialistic tendencies of this country, I wish they might know how many letters, evincing the keenest enthusiasm for art and the work of beautifying the public schools, are constantly being received by picture dealers and by private individuals and societies in New York. These letters come from every state in the Union and from towns where, a generation ago, the inhabitants were fighting Indians.

The object of these letters is not, of course, merely to tell us of the citizens' awakening love of beautiful things, but to ask the most practical questions as to how they may be obtained, in what manner they may be given to the public for their enjoyment, how to raise the money to buy them, and what sort of committees should undertake this work. These are the questions I shall try to answer here; and the fact that we have worked successfully for so long a time as six years should give these answers some weight.

Methods of Work.

The work of the Art Committee of the Public Education Association* is divided among three sub-committees, the Portfolio sub-committee, the Picture Circulating sub-committee and the School Decoration sub-committee. Each of these sub-committees works quite independently of the others, but every autumn the chairman invites the chairmen of the sub-committees to a conference, when plans for the coming winter's work are discussed, arrangements made whereby overlapping of work may be avoided and in some instances means found to co-operate. At least once each year the Art Committee arranges a public exhibition for the display of the work of all sub-committees.

* Membership in the Association and all its committees is restricted to women.

The Portfolio Sub-Committee supplies the schools with small pictures which are intended simply to illustrate class-room studies. These are either penny black and white pictures, four by six inches in size; five-cent black and white pictures, measuring about eight by ten inches; or five-cent nature studies, birds, trees, etc., six inches wide and eight inches long. These pictures are mounted neatly upon gray cardboard by the members at their weekly meetings, and are distributed among the schools that ask for them. The funds needed for this work are raised by the payment of the members' regular dues which need not be large, as this is always a popular sub-committee and the expense of the pictures is very slight. The total expense, last year, of mounting and distributing 2,971 pictures was only \$70.14. When this sub-committee first started work its funds were so low that it was obliged to use old magazine pictures, which, by the way, were not at all unsatisfactory for the purpose, and cost nothing at all.

This sub-committee's pictures, whatever they may be, are not intended for decoration because they are too insignificant in size to create a good effect upon a wall, and also because their subjects, being primarily instructive, are not of necessity artistic or decorative. Then, too, when unframed pictures are left exposed they soon become shabby. Such a committee should really follow up its gifts with a portfolio of suitable size (one for each class-room) or else should mount its pictures in a scrap-book instead of on squares of cardboard.

The Picture Circulating Sub-Committee places in a school a collection of small pictures framed simply with a wide cardboard mat, or else with glass and a narrow oak moulding. These pictures are catalogued and numbered in the same way as the books in a circulating library, and once a week each pupil is permitted to take home a picture which he changes the following week. The expense of running this sub-committee is comparatively slight. The cost of pictures framed with mats will be about seventy-five cents apiece, while for pictures which are framed with oak and glass, it will be from \$1.50 to \$2.50. With a library of fifty pictures fifty children may borrow a new picture fifty times. The chief difficulty met with in advancing this work is to find a teacher or principal who will take the trouble to distribute these pictures; but even this may be obviated by sending a volunteer from the sub-committee to the school for the purpose.

The School Decoration Sub-Committee is the most complex and important of all the sub-committees. The most valuable members of this sub-committee, I say it frankly, are those who can give personally, or collect from friends, large sums of money. Members who can contribute moderately, say one picture a year, should of course be welcomed, but the usefulness of persons who can give only their time is limited; for the actual labor of the committee must be performed by one or two persons only. Little difficulty has been experienced in finding suitable members, however, for there is something about room decoration which appeals strongly to feminine nature. It is sometimes amusing to see how the fascination of turning a bleak class-room into something almost homelike will incite an originally lukewarm member to buying pictures with reckless generosity.

It has been found that by devoting all energy to one school until it is completed, more interest is excited among the members, the teachers and the pupils than when isolated rooms, here and there in different schools, are selected for decoration. One school, then, should be chosen for this purpose the very first thing in the autumn. It has been the plan of this sub-committee to assign one room to each member, and to allow her to decorate it as she pleases, within certain limits. Some members are able to finish one or more rooms during a single winter, while others require several years for the same task. No one should be asked to specify a fixed time for the completion of the work undertaken. Usually the interesting character of the work itself will tempt each one to spend more time and money than she at first intended.

Character of Decorations.

The keynote and foundation of all school-room decoration is the color of the walls. Six years ago the interiors of the New York schools were a ghastly grayish white, which imparted to the rooms an indescribably cheerless appearance. The board of education was induced to request several artists and oculists to confer and to choose a tint which met the requirements. Buff was the color selected—perhaps the result of a strong reaction against the flowery wall papers which had been so popular. Now, while buff may be most artistic in a drawing-room where there are bright porcelains upon the tables, Persian rugs on the floors, and draperies of more or less decided color, in a school-room it is only a shade less dismal than dead white. In one school building, soft, light greens, blues and even lilacs have been used

with an effect altogether charming, while on backgrounds of these colors, pictures and casts are shown to the greatest advantage. The first work of a school decorating committee should be to persuade the local school authorities to tint all class-room walls in these warm and cheerful colors.

Pictures to be Selected.

For an inexperienced committee, the great difficulty will be to select the proper pictures, casts and other art works for the walls of its class-rooms. There are thousands of pictures which may be obtained, and at first glance one would say they were all suitable for schools; but this is not so. In New York the board of education forbids the use of pictures dealing with religious subjects. Nudity—even that of a new-born infant—is also tabooed by them. That bars two large classes of pictures and casts. There are many pictures of an insipid, characterless beauty upon which one's better judgment places a ban. Personally, I object to war pictures, not only because they are often poor artistically, but chiefly because of their subject and influence. So, for the present, pictures of this class do not find a place on our list. Many hundreds of pictures remain, however, which meet all the requirements.

Now, pictures may be used to instruct, to bring art before the children or simply to make a pretty room. For the proper instruction of a class a hundred or more, small, unframed pictures, illustrating the studies of the grade, are needed in each class-room. The Portfolio Sub-Committee is gradually supplying this need. On the other hand, to familiarize children with art, properly so-called, or to give an appearance of tasteful decoration, fifteen or twenty large pictures, framed in glass and strong mouldings, and several casts will be required for each room. To choose and place such casts and pictures is the work of the School Decoration Sub-Committee. This committee confines its choice of casts and pictures strictly to those whose merit lies in their artistic or decorative qualities. Incidentally they may be instructive, but that fact does not influence the committee in making its selection.

Photographs direct from nature, and the many excellent colored chromos and lithographs which are now obtainable and which no longer deserve the contempt they once merited, may be classed as decoration; photographs of the best paintings and architecture, and casts of bas-reliefs and statues belong in the domain of art.

As a general rule, it may be said that for the kindergarten and primary grades, pictures and casts should be chosen which represent animals, flowers and children. Color is especially valuable in decorating the rooms of the youngest children. In the grammar grades pictures of grown people and scenery may be used. Architectural pictures showing a whole building are also appreciated in these grades, but interiors and architectural fragments are not understood. Casts of busts and whole figures are appropriate, but casts of mutilated figures are not. In high schools most of the works of art used in a grammar school are suitable, and to these may be added pictures of architectural interiors and fragments, drawings, and casts of mutilated figures.

Schemes for Grouping.

Equally important with the selection of single pictures or casts is a scheme for grouping them. Shall we put all kinds of pictures together in one room or shall we carry out one consistent, unified scheme? This sub-committee has reached the conclusion that unless there is harmony and purpose in the subjects and style of all casts and pictures in one room, the mind is not satisfied. The following list, classifying not only the subjects of pictures and casts, but the nationality of their artists, may prove helpful to those who agree with this conclusion.*

GRAMMAR.

Roman—Sculpture and Architecture. Casts and photographs	2 rooms, \$75 to \$85 each.
Greek—Sculpture and Architecture. Casts and photographs	2 rooms, \$75 to \$85 each.
Dutch and Flemish—Groups and Figures (of grown people). Photographs of architecture and paintings.	3 rooms, \$90 to \$100 each.
Spanish—Groups and Figures (of grown people). Casts and photographs of paintings and architecture.....	2 rooms, \$90 to \$100 each.
French—Groups and Figures (of grown people). Casts photographs of painting and architecture.....	2 rooms, \$90 to \$100 each.
English—Portraits and Figures (of grown people and children). Casts, photographs of paintings and architecture	1 room, \$90 to \$100
Italian—Groups and Figures (of grown people). Casts and photographs of paintings and architecture.....	4 rooms, \$90 to \$100 each.
German—Heads and Figures (of grown people and children). Casts, drawings, and photographs of paintings and architecture.....	1 room, \$90 to \$100

* An illustrated catalogue is now preparing which gives the titles and prices of about a thousand pictures and casts classified under the heads given in the list above. This catalogue will be furnished upon application to the author of this article.

French—Landscape. Decorative casts and photographs of paintings	1 room, \$90 to \$100
Dutch—Landscape. Photographs of paintings.....	1 room, \$90 to \$100
English—Landscape. Photographs of paintings.....	1 room, \$90 to \$100
American—Landscape. Photographs of paintings.....	1 room, \$90 to \$100
American and Foreign—Marine views. Photographs of paintings	1 room, \$90 to \$100
French—Outdoor Occupations. Photographs of paintings	3 rooms, \$90 to \$100 each
All countries—Boats. Nature photographs.....	1 room, \$75 to \$90
American—Landscape. Nature photographs, casts.....	1 room, \$75 to \$90
English—Landscape. Nature photographs.....	1 room, \$75 to \$90
Swiss—Landscape. Nature photographs.....	1 room, \$75 to \$100
Asia and Africa—Landscape. Nature photographs....	2 rooms, \$75 to \$90 each
All countries—Types of Landscape. Nature photographs.	1 room, \$75 to \$100
American—Landscape. Colored nature photographs...	2 rooms, \$75 to \$100 each
Foreign—Landscape. Colored nature photographs....	2 rooms, \$75 to \$100 each
American—Patriotic. Photographs of paintings and nature	2 rooms, \$75 to \$85 each
American—Literature. Photographs of paintings and nature	1 room, \$75 to \$85
English—Literature. Photographs of paintings and nature	1 room, \$75 to \$85

PRIMARY.

Italian—Heads and Figures (of children). Casts and photographs of paintings.....	3 rooms, \$90 to \$100 each
Dutch and Flemish—Heads and Figures (of children). Casts and photographs of paintings.....	2 rooms, \$90 to \$100 each
Spanish—Heads and Figures (of children). Casts and photographs of paintings.....	1 room, \$90 to \$100
French—Heads and Figures (of children). Casts and photographs of paintings.....	1 room, \$90 to \$100
All Nations—Animals. Casts and photographs of paintings	1 room, \$90 to \$100
All Nations—Animals. Casts and colored pictures.....	3 rooms, \$40 to \$60 each
All Nations—Scenery. Colored pictures.....	2 rooms, \$40 to \$60 each
French—Posters	1 room, \$75 to \$85
German—Posters	1 room, \$75 to \$85

The harmony of subject satisfies an intellectual need only; it is the harmony of framing and toning which pleases the eye. Nothing is more unrestful to look at than a wall upon which are hung brown photographs, gray photographs, engravings and chromos, the frames ranging through all colors, widths and descriptions. To obtain the best results not only must pictures be classified according to subject and nationality of artist, but according to the process by which they have been reproduced. The frames should be of the predominating

color of the picture, except in the case of colored pictures where green, black, natural or gilded chestnut may be used. The effect of gilded chestnut frames is very pretty, but many people have complained that they look too grand and expensive for a school. As a matter of fact, however, they only cost two cents a foot more than those of plain, varnished oak.

Expense Not Large.

And now a word in regard to the expense of decorating class-rooms. Probably every one who reads the list above will doubt whether pictures and casts for the majority of rooms will cost from \$90 to \$100. Naturally the cost varies with the size of the room and the character of the decorations, but the list below will show what a large sum of money may be spent upon one room without being extravagant either in the number or size of pictures. The prices quoted below are taken from our own bills, and they are less than the listed prices in dealers' catalogues. The list also serves to illustrate a proper grouping.

"OUTDOOR COUNTRY OCCUPATIONS."

BY MODERN FRENCH ARTISTS.

Wall faced by pupils:

Centre ... Return to the Barnyard.....	Troyon.....	24 X 36	\$17 50
Right Ploughing	Bonheur.....	12 X 26	6 75
Left Oxen Going to Labor.....	Troyon.....	16 X 24	6 50

Wall faced by teacher:

Centre ... Gleaners	Millet	24 X 30	16 50
Right Luncheon in Harvest Field...	Breton.....	14 X 21	6 50
Left Angelus	Millet	16 X 26	6 50

Side wall (space between windows), right:

Right The Shower	Laugee.....	14 X 20	5 00
Left Between the Drops.....	Laugee.....	14 X 20	5 00

Side wall, left:

Centre ... Feeding Her Birds.....	Millet	18 X 24	5 00
Right The Shepherdess	Millet	18 X 24	5 00
Left The Sower	Millet	18 X 24	5 00

Casts (to be placed in small unused spaces or between pictures):

Maple Leaves (from nature).....	10 X 14	1 25
Laurel Leaves (from nature).....	10 X 14	1 25
Virginia Creeper (from nature).....	10 X 14	1 25
Grapevine (from nature).....	14 X 24	3 25
Narrow panel, foliage.....	6 X 18	1 25
Narrow panel, foliage.....	6 X 18	1 25

Total \$94 75

The prices mentioned here are for the very best carbon photographs. Solar enlargements cost very much less, but they are only satisfactory for architecture, sculpture and scenery. If a fairly large reproduction of a painting is desired one has no choice but to buy expensive carbon (brown) or platinum (gray) photographs. There is no such thing as a bargain in pictures. Cheap pictures are usually either small or coarse reproductions, or the kind that deteriorate with age. Small pictures are proportionately much cheaper than large ones, and consequently it will cost less to cover the walls with them than to hang there a few large pictures at greater intervals. But nothing gives a more spotty, unrestful, undignified look to a room than a quantity of small objects upon its walls. In the younger primary rooms one may use cheap colored chromos and lithographs. But little as each individual object of decoration in this simple little primary room may cost, pictures and casts together will aggregate between \$40 and \$50.

Value of Pictures in Schools.

Pictures and casts undoubtedly give pleasure, the sceptical reader probably will say, but do they serve a purpose sufficiently serious to justify the expenditure of two or three thousand dollars in a single school building? Personally, I have no longer doubt of their immense educational value.

Children may be divided into three classes, all of which are, in different ways, enlightened by pictures. First, there are the unimaginative, unemotional, matter-of-fact children, by no means lacking in intelligence, to whom pictures are simply more or less comprehensible imitations of objects which they never see but about which they hear. Pictures increase the wealth of their minds by adding to them new mental images of things which were before represented only by meaningless words. A child's horizon widens when he can conceive, even indistinctly, of the bodily appearance of a waterfall, a farming scene, an historical character or an ancient costume or city.

There are yet other children who gain all these practical benefits from pictures, but who receive from them an emotional impression also. Who can say how much the rest and happiness of a visit to an Italian city is due to the beauty, the art, so apparent in every street and dwelling? William Morris said, "To each man is due the *solace* of art in his labor," and Tolstoy: "Art should drive violence away." People whose temperament responds to the appeal of art grow sympathetic.

The painter or sculptor puts a meaning into things that look to us common or insignificant. A great portrait or landscape interprets the soul of an ordinary man or country side, and we understand humanity and nature better for having read this interpretation. To be moved in this way by art, it is not in the least necessary to be a critic. The emotional effect will be quite involuntary, and is often strongest upon simple, uneducated natures.

There is a third class of children to whom art makes its strongest appeal. In each school there may be found one boy or girl ambitious to make pictures themselves. At the close of the class session in a large uptown school which I once visited, I noticed in the corridor a boy, pencil and paper in hand, who hastily thrust his head into our room whenever the door was opened. The boy, it appeared, was considered the artist of the school. He had just discovered a fine cast—a Donatello—and he was eager to make a drawing of it. The other pupils were contented merely to admire, but this boy desired also to create. It is impossible to say whether his early ambition will be gratified in later life, or not; but if this ambition is the manifestation of genuine ability (which is not at all impossible), his chances of becoming an artist are certainly bettered by the presence of copies of the works of the great masters. Genius would probably not be checked in growth by the most squalid surroundings, but talent of a less vital order would die, or, worse still, become perverted, if never stimulated by the sight of really beautiful things. Surely we cannot afford to waste artistic talent even below the rank of genius.

And now to sum up in favor of a liberal use of pictures and casts in the public schools: If these works of art will impart useful, practical knowledge; if they will add to the sum of human happiness, sympathy and sentiment; if they will stimulate or save from perversion the talent of a single artist; then it will surely not be extravagant to spend even millions of dollars upon them for the schools of every great city.

LEGISLATIVE INTERFERENCE IN NEW YORK.

BY JOHN G. AGAR.

The history of municipal government in New York is the history of the development from contract relation between state and city to one of dependence by the city on the state legislative will. City charters in New York were first considered grants of rights which were not to be amended or repealed without the consent of the citizens of the municipalities, but they have now come to be amended or repealed by the legislature without regard to the will of the citizens concerned.*

The Trend of Political Development.

This change from a condition of contract to one of legislative status is a phase of a much larger phenomenon, which is manifested in the very general legislative attempt to fix rights and duties and to secure privileges which should be left to individual action, and which finds its most usual illustration in the large number of questions relative to industry and morals which are legislated upon. This phenomenon is noteworthy because the general trend is in a contrary direction. Our times are distinguished from ancient times by the fewer number

* *The Mayor vs. Odrenan*, 12 Johnson, 124:

"Though the act of 1806 contains no recitals, stating that it was passed on the application of the corporation of New York, yet we must presume that it was passed, it being almost the invariable course of proceeding for the legislature not to interfere in the internal concerns of a corporation, without its consent, signified under its common seal."

This course of procedure was maintained so strictly that the legislature in Chapter 126, Laws of 1806, provided that any ordinance passed by the common council of the City of New York in pursuance of the powers granted by that act may at any time be repealed by the legislature, thus proving that the legislature deemed it necessary to reserve to itself the right to repeal a law in the same act in which it bestowed upon the council the power to make a law.

The charter of 1830 was adopted in the following manner: A city convention was chosen by the people in pursuance of the recommendation of the common council to revise and propose amendments to the charter. The convention agreed to a series of amendments which were submitted together to the people and approved of by them by a regular vote by ballot. An application was then made to the legislature to have the amendments ratified by law and made a part of the charter. This was done by the act of April 7th, 1830, Chapter 122.

of legal relations fixed by law and the larger number fixed by individual assent or agreement. So our times are distinguished from earlier times by the greater political sphere given to individual will.

If study be made of New York city governments, results are found entirely inconsistent with the principles of political organization of the United States, for large local control over local matters has developed into one of limited control over local administration and of no control over local organization. It is not surprising, therefore, that our municipal governments are as a rule unsuccessful, for nowhere in the domain of political activity is there more need of unintermittent local control than in those affairs which have to do with the common life of millions of people in necessary, constant, close and competitive intercourse, as in the modern city.*

This view does not leave out of mind the sphere of state control over subjects in which the inhabitants of the state have a paramount interest. It concedes the right in such affairs of state control, but demands a strict limitation of those rights to their proper sphere. In this state the legislature has not observed its limitations, and the story of its usurpations in relation to New York city may be briefly told and may be taken as a fair instance of the legislative interference with other cities in the state.

Self-Government Lost.

In the first charters of New York city, all proper municipal powers were vested in a council consisting of a mayor, recorder, aldermen and councillors. This body was practically the only municipal authority known to the laws and had power to regulate the entire and minute administration of the city, and did it as it is now done in Great Britain by the appointment of council committees. This was the first form of

* In 1891 the Fassett Committee reported that:

"Under the existing system, stability of city government is a practical impossibility. The officers of our municipalities find it impossible to determine upon any general policy whatever looking towards better administration with the expectation that any such policy can ever be carried out to its proper and logical conclusion. This is due not only to the continued possibility of legislative interference, but because of the pertinacity with which interested parties or local authorities appeal to the legislature year after year in matters affecting city government—thus depriving the cities of their administrative autonomy and subjecting them to conditions which do not prevail in the administration of the business of any corporation whatever." * * *

"These are conditions which, if applied to the business of any other corporation, would make the maintenance of a continued policy, and a successful administration as impossible as they are to-day in the government of our municipalities, and produce waste and mismanagement such as is now the distinguished feature of municipal business as compared with that of private corporations."

municipal administration and the one in which the principle of local government was most fully employed.

Soon changes were made. Distrust of council administration and a desire to assimilate the form of city government with the form of state government caused disintegration among the consolidated powers of the council. Executive heads of committees were chosen outside of the council, sometimes by the council, sometimes by the people and sometimes by the legislature with or without the consent of the council.*

Not only did the council lose its power of organization and appointment, but it gradually lost most of its financial and legislative powers; and although it retained the power of making appropriations or aiding in making appropriations for city expenses and of levying taxes and making loans, these powers became largely nominal on account of the enactments which were made by the state legislature making mandatory upon the council the exercise of its financial powers. This was also true of other legislative powers. All were actually taken away, or curtailed by the exercise of similar powers by the state legislature, or given by legislative enactment to executive heads of departments or to commissions appointed by the state legislature.†

Local Opinion Disregarded.

The constitutional provision of 1894 requiring special legislation to be passed a second time by the legislature if not accepted by the

* The charter of New York City of 1830 provided that the executive business of the city should be carried on by departments organized by the council and whose heads were to be appointed by the council from citizens not members of it. The charter of 1849 took away from the council both the power to determine the various executive departments of the city and also the power of appointing the heads. In the majority of cases the appointing power of executive heads was vested in the mayor with the right of confirmation and rejection in the council.

† The general power under the Montgomery charter vested in the common council was to make, ordain and establish, from time to time, laws and ordinances such as to the common council should "seem to be good, useful and necessary for "the good rule and government of the body corporate and of all officers, inhabitants "and residents of the city within the limits thereof," and for "the further public "good, common profit, trade, and better government and rule of the said city," and for governing and disposing of the corporate property, real and personal.

The charter of 1830 prohibited moneys from being drawn from the city treasury without previous specific appropriation and prohibited the common council from borrowing moneys on the credit of the corporation, except in anticipation of the revenue of the year, unless authorized by a special act of the legislature. But there is no attempt to control the exercise of the general powers contained in the Montgomery charter as to the expenditure of moneys by the common council in their sound discretion for objects connected with the safety, welfare, property, trade or character of the city of which they were the representative guardians and trustees. The act of 1830 specially authorized annual occasional appropriations by proper ordinances for every branch and object of city expenditure. Cf. Kent's New York City Charters, pages 133 and 178.



city, may be regarded as an exception to this tendency.* But at best it operates as a partial exception only. Since its adoption two charter commissions have drafted laws for the government of New York city, and both charters have been passed by the legislature. But neither charter may be said to have been acceptable to a majority of the voters in this city. Both commissions were appointed by state authority and not chosen by local authority; both commissions worked under

*The following is a brief historical statement of the provisions of the constitutions of the State of New York relating to cities:

Under the Montgomerie charter, the mayor of New York City was appointed by the governor, and the aldermen and assistants were elected by the freemen or freeholders. The mayor and recorder, with the aldermen and assistants, constituted the common council, which body had the power to make all laws.

The constitution of 1777, article XXXVI., ordained that nothing therein shall be construed to annul any charter granted to bodies politic by the King of England prior to October 14, 1775, and that all such officers as by the terms of said charters were to be appointed by the governor of the colony of New York, shall be appointed by the council of appointment.

The constitution of 1821 contained the same provision, changing the phrase "bodies politic" into "bodies politic and corporate," and the same phraseology is used in the constitution of 1846. Article IV., section 10, provided that the mayors of all cities shall be appointed annually by the common council of the cities. In 1833 this section was amended by making the mayor of New York City elective by the electors qualified to vote for the other charter officers of the city. In 1839 this section was further amended so as to make it permissive that mayors of the several cities in the state be elected annually by the male inhabitants entitled to vote for members of the common councils of such cities respectively.

The constitution of 1846, Article VIII., section 9, imposed on the legislature the duty to provide for the organization of cities, and in Article X., section 2, provided that all city officers whose election or appointment is not provided for by that constitution shall be elected by the electors of such cities or appointed by such authorities thereof as the legislature shall designate for that purpose; and in Article VIII., section 11, as amended in 1875 and 1885, prohibited cities from giving their money or credit to and in aid of any individual association or corporation, and prohibited the city from being the carrier of stock in or bonds of any association or corporation, and from incurring any indebtedness except for city purposes, and limited the indebtedness of cities to ten per centum of the assessed valuation of the real estate of said city subject to taxation.

Under section 9, Article VIII., Constitution of 1846, imposing on the legislature the duty of providing for the organization of cities, the legislature has gradually usurped all the powers formerly granted to and exercised by the city council. The only check to this usurpation, proposed in the constitution of 1894, is that contained in Article XII., section 2, providing that all special city laws must be submitted to the mayor of the city concerned for acceptance.

The provisions of the previous constitutions relating to the credit of cities and the limitation of indebtedness were continued in Article VIII., section 10, of the constitution of 1894, but this instrument has taken one step backward in providing that water bonds shall be included in ascertaining the power of a city to contract further indebtedness.

Article XII., section 2, Constitution of 1894, contains a classification of cities and defines special and general city laws and provides that all special city laws must be accepted by the city concerned, otherwise they must be passed a second time by both houses of the legislature and approved by the governor before becoming a law.

It must be remembered that the grant of powers to the board of aldermen in the present city charter is limited, as are all other grants of power to city departments, by the usually exercised power of interference by amendment by the state legislature.

great pressure of time and with little opportunity to give exhaustive study to the subject; both charters were adopted by a majority of the state legislature opposed in political beliefs to a majority of the voters in New York city, and after amendments had been made by the state legislature which were opposed by the most enlightened public opinion in the city; and both charters were not accepted by the mayor of this city and were readopted by vote of the legislature over municipal disapproval. So it cannot be affirmed that our last estate is an improvement over our first, if we assume as our standard local consent or approval.

The results of these changes are:

1. The people of this city have lost very largely their original powers of local self-government. The city is now regarded and treated as one of the state administrative bodies and its powers regulated and limited with the same assertion of state legislative authority as the state exercises over state departments.

2. Although there is a tendency strongly developed to centre administrative authority in the mayor and to curtail the deliberative power of the council, the necessity of having questions of policy passed upon by a deliberative body has resulted in placing in the state legislature the large local powers exercised under former charters by the local councils.

These are the two most striking facts noticeable in a study of the New York City Government and they point to the remedy for our present evils with an unerring finger.

Town vs. Country.

The cause of this state invasion of the rights of the city is found in the almost universal contest which has been going on for centuries between the urban and rural populations. The basis of representation in the legislatures of the eighteenth and early part of the nineteenth centuries was area, wealth and population. In first instance, the distribution was not infrequently very fairly apportioned; but with the inventions which opened the modern era, beginning after the Seven Years' War, and the great expansion of industry and trade resulting therefrom, the towns began to increase rapidly in wealth and population. In some sections the population of the rural districts showed an absolute decrease; elsewhere the growth was much less rapid.

The result was that the old system of apportionment soon came to

give to the country a much larger share of influence than its population and wealth would justify. It was but natural that the towns should complain and demand a readjustment. It was but natural also that the country districts should oppose and fight to preserve the old system of representation, one which kept the government in their hands.

As the growth of cities continued, the injustice of the system established in previous generations became greater and greater, and wherever possible the towns brought about a reapportionment of political authority and power. In some instances, however, regard for ancient forms and more frequently the methods of amending the constitution prevented a reapportionment. It was necessary for the legislature, organized under the old constitution, or for the constituent convention, so formed that the rural districts had unusual authority, to pass upon amendments; and the rural districts were slow to adopt any change which might lessen their influence and increase the power of the growing towns. The extreme instance is the state of Connecticut, whose conditions are described in an article by Professor Ford in this issue.

In the last constitutional convention of New York, held in 1894, a provision was inserted in the constitution which read as follows:

"No county shall have more than one-third of all the senators; and no two counties or the territory thereof as now organized, which are adjoining counties, or which are separated only by public waters, shall have more than one-half of all the senators."

The object of this provision was to prevent New York, then consisting of the present boroughs of Manhattan and the Bronx, from securing a representation such as its future population would probably warrant, and also to prevent Brooklyn, then a separate city, and New York, whose interests are largely identical, from getting control of the senate.

Apparently New York city is at the mercy of the country members; for however great its wealth and population may be, it cannot have its proper influence in the state legislature. For instance, in 1900, Greater New York paid nearly two-thirds of the state taxes levied on real and personal property. Its proportion of the taxes collected upon corporations of various kinds, licenses, fees, etc., was very much larger, in some instances amounting to 75 per cent. or 80 per cent. of the total amount collected.

State Control of City Finances.

This grievance, however, is unimportant as compared with the constant interference of the legislature in local affairs. A few of the

instances of state interference which have occurred within the last few years will serve to illustrate.

Financial matters are probably most frequently the subject of legislation. If someone has a questionable claim against the city and the local authorities will not audit it, an appeal is taken to a member of the state legislature who introduces a bill compelling the city comptroller to pay it. Chapter 551 of the Laws of 1901 is a fair sample of the many such statutes that have been passed. It reads:

"Section 1. The comptroller of the city of New York *shall*, on or before the first day of July, nineteen hundred and one, pay to the treasurer of Port Richmond Engine Company number three in the Borough of Richmond in the city of New York, the sum of eleven hundred and thirty-eight dollars and two cents, for the purpose of reimbursing said engine company for the several sums expended by said company in the year one thousand eight hundred and ninety-eight for supplies and other expenses incurred in maintaining said company in the discharge of its duties in extinguishing fires as a volunteer fire company."

It is to be noted that this is not an act authorizing or empowering the city comptroller to settle the claim, but is mandatory, *compelling* him to pay whether or not it is just. In every session of the legislature scores of similar bills are introduced.

Another common procedure is for the legislature to specify precisely what shall be the salaries and wages of city employees. Thus, with no option permitted to the city of New York, the initial salaries to be paid to school teachers in the various grades, the increase to be added for each year of service and the maximum amounts are specified by a state act; and the city authorities must provide the money and can make no change in the schedule. The same is true of many other departments, and even in the case of laborers in the street cleaning department, the daily wage is fixed by a state law.

Again, if the city authorities think that a local improvement is unnecessary or that it should be deferred for several years, it is not uncommon for a bill to be introduced into the legislature compelling the city to make the expenditure, and perhaps a state commission or board is appointed to see that it is carried out. The most recent case of importance is the act ordering the construction of a new county court-house, costing over \$2,000,000. As to the wisdom and desirability of the scheme, it is only necessary to say that the art commission to which was referred the plans, strongly condemned them on architectural and utilitarian grounds, pointing out that the new building was badly planned and extremely expensive.

The result of this constant state interference in local finance has tied the hands of the city officials. The budget for 1901 amounted to nearly \$100,000,000, and of this amount over two-thirds or nearly \$67,000,000 were for mandatory expenditures as to which the city authorities could make no change whatever, no matter who might compose the board of estimate and apportionment and however economical or wasteful they might wish to be. Of the remaining one-third, nearly one-half was practically mandatory, for the performance of certain functions is specifically required by the charter and the expenditures cannot fall below a certain amount. Thus, thanks to the watchfulness of the Albany legislature, not more than 17 per cent. of the budget of New York city can be affected by the local authorities.

Centralization of Excise.

The most persistent instance of state interference in city affairs is found in state excise legislation. Prior to 1896 the principle which lay at the root of all excise laws relating to this city was the application of the will of the majority of the state to the city by means of a general or special law operated by local agencies. The principle was considered to be one of local self-government, but its application was so controlled by the general law that it became little more than the execution of the mandates of central authority by local instruments and was so distorted by restrictive and prohibitive features as to be repulsive to the local centre upon which it was imposed. The law of 1892, chapter 401, sought to carry out these principles, but was superseded in 1896 by the present law, known as the Raines law, which destroyed the shadow of local self-government for cities found in the law of 1892. It centralized the control of the whole excise system in one man, the excise commissioner, in an unprecedented manner. He is the sole interpreter of the intent and scope of the law and is endowed with plenary power to enforce the law and cause it to be enforced. The law was the result of political conditions, namely, the pressing needs of the state treasury and the determination of the state authorities to compel the enforcement of excise legislation.

The story of excise legislation is interesting not only because it affords an instance of intense state centralization at the expense of local government, but especially because it shows that the tendency of centralization as opposed to local government is growing stronger in this state every year.

City Franchises Unsafe.

Another instance of state interference is found in the bill introduced by Senator Raines, March 29, 1901, passed by the senate with practically no debate and by the assembly on the last day of the session as a matter of course, entitled "An Act to facilitate transportation connections with wharves, docks and piers in the cities of the state."

The bill provided that whenever a corporation has been incorporated in the state for the purpose of constructing and maintaining a permanent bridge for passenger or other traffic over the waters between a city in this state and another state or foreign country, and whenever commissioners have been appointed pursuant to law authorizing such commissioners to locate such a bridge, stations and approaches, then such corporation may construct and maintain such bridge, station, approaches, extensions and connections as so located over the public streets and by overhead structures upon docks, wharves and piers in said city. It further provided that every such corporation should pay to the comptroller or other fiscal officer of said city four per cent. of the gross earnings from the operations of such connecting structure in such city for the first ten years; five per cent. of such gross earnings for the next ten years and six per cent. thereafter.

This bill was one of the most violent infringements of municipal rights which a hostile legislature has ever attempted to inflict upon a city. The law was undoubtedly unconstitutional because while in terms it was a general act, its provisions were such in number and character as plainly to restrict its operations and to confine its application to the city of New York alone. But besides this, the bill granted a perpetual franchise; it did not require that a bridge should be built at all and took all control over it from the local authorities. It is well known that the commercial prosperity of New York city is mainly dependent upon the management and development of its water front, and in spite of this the legislature attempted to take away from the local authorities practically all voice in the construction and management of this bridge which was to be one of the principal connecting links with the west. The term of the franchise was unlimited, and the compensation was entirely inadequate.

The bill being in general form did not require municipal approval, but went immediately to the governor for approval, and after a most determined effort on the part of the attorneys for the bill and the legislators who approved it, it was vetoed.

The New York Central Terminal Bill.

Another bill which was passed by the legislature as a general law, although its only immediate and important application was to the city of New York, is known as the New York Central Terminal Bill. It proposed to transfer local powers of great importance from the representatives of the city to a board at Albany. It allowed any railroad corporation owning or leasing and operating a railroad, any part of which shall be in any city and having a station or terminal facilities in such city, to prepare plans, showing proposed additions to such station or terminal facilities or the structures connected therewith, which may be located in, upon, over and under any street or public place in this city, and specifications setting forth the manner in which and the parties by whom the expenses of such additions and changes should be paid, and to submit such plans and specifications to the local authorities. But whether the plans and specifications be approved or disapproved by the local authorities, the application must be presented to the board of railroad commissioners of the state, and upon reversal by the board of railroad commissioners there was reserved only to the local authorities a right of appeal to the supreme court.

The mayor and board of estimate were permitted to receive copies of the plans proposed by the railroad corporation and to consider them; but whether the mayor and his associates granted the application or not, their decision must have been approved by the railroad commission, and the power of that commission to grant the application of the railroad corporation was no less in case of disapproval by the local authorities than in case of approval. In other words, these powers were taken from the local authorities and vested in the state railroad commission. The act was general in effect and applied not only to the New York Central Railroad but to all railroads entering Greater New York.

There was so much adverse criticism of this bill and the tendencies thereof that the governor was compelled by public opinion to veto the act.

The Rapid Transit Commission.

Another instance was the passage of the Pennsylvania Tunnel Bill. It provided, among other things, for the grant to any railroad corporation owning or actually operating a railroad within the city of New York of a franchise to construct and operate a tunnel railroad in said

city to be connected with any railroad within the state of New York or any adjoining state, and thereby forming a continuous line for the carriage of passengers and property between a point within and a point without said city. The main difference for the purposes of this discussion between this bill and the New York Central bill is that in the Pennsylvania Railroad act the consent of the local authorities was necessary. But the commission which was given authority to approve of and carry out the Pennsylvania Railroad act was the Rapid Transit Commission, itself a creation of the state legislature and not controlled by local authority, and itself an instance of state interference in local government. This commission has been vested with the most remarkable powers. It consists of a body of eight persons, two only of whom are elected, the mayor and comptroller, *ex officio*. The six others are persons who have been constituted by the legislature into a self-perpetuating body having no direct accountability to the local public. To them has been given the power to lay out rapid transit routes over, under, upon, through, and across any streets, avenues and lands in the city, and after the route has been determined upon to let a contract for the building and operation of the railroad on such terms as the commission may prescribe. The contractor selected by the commission is to be allowed not only the use of the city's credit, but he may also be granted a total exemption from taxation upon his franchise and upon his property directly or indirectly used in the enterprise. The present comptroller of the city of New York has characterized this commission as

"A piece of paternalism worthy of some imperial government but utterly at variance with the American system. It is clearly the intention of the constitution of the state that city officers should be elected by the electors of the city, or appointed by the local authorities. But it would appear that New York city was thought unworthy or incapable of conducting its own transportation affairs, and so the state undertook to create for the city a commission to perform duties which legitimately belonged to city officials. The members of the commission were named by the state legislature, not elected by the voters of the city, nor appointed by any officials of the city, and, as if this were insufficient offense to the principles of self-government, the commissioners were endowed with unlimited terms of office and with power to fill vacancies which might occur in their number."

"Ripper" Legislation General.

This interference in local matters is not confined to New York. Every city of any considerable size has felt its influence, particularly when the local authorities have been of different politics from those

controlling the legislature. From the many instances to be found in the statutes, a few will suffice.

Chapter 107, Laws of 1901, reads:

"An Act for the relief of Jacob Markey and to ratify and confirm his appointment as a member of the police force of the city of Rochester.

"Section 1. The appointment of Jacob Markey as a member of the police force of the city of Rochester is hereby ratified and confirmed as of June thirtieth, eighteen hundred and seventy-seven, when said Markey was sworn in as a police officer, and the commissioner of public safety of said city is hereby directed to pass upon the claim of said Markey for a police pension the same as if said Markey had been regularly and duly appointed a member of said force as of said date."

Chapter 23, Laws 1902, is entitled:

"An Act to amend section forty-six of chapter one hundred and five of the laws of eighteen hundred and ninety-one, entitled: An Act to revise the charter of the city of Buffalo, in relation to eligibility to the office of city treasurer.

"Section 1. Section forty-six of chapter one hundred and five of the laws of eighteen hundred and ninety-one, entitled: An Act to revise the charter of the city of Buffalo, is hereby amended to read as follows:

"46. No person shall be eligible to any city office unless he be an elector of the city, except as hereafter expressly provided. Treasurers shall be ineligible for re-election for the next term after the termination of their offices.

"Section 2. This act shall take effect immediately."

Chapter 113, Laws 1902:

"An Act to amend chapter six hundred and forty-three of the laws of eighteen hundred and ninety-one, relating to the repayment of installations of assessments on account of the opening of Prospect avenue in the former town of Flatbush, city of New York.

"Section 2. The owner or owners of any piece or parcel of land within the said district of assessment may, if they so elect, pay the whole one-third of such assessment with which said piece or parcel of land is hereby charged, within six months from the passage of this act, in full discharge of said land from the assessment now thereon. If the owner or owners of the land aforesaid so elect, the payments may be made in annual installments during the period of ten years and six months after the passage of this act. Where the owners elect to pay the installments, interest at the rate of seven per centum shall be charged upon each installment from and after six months from the passage of this act until the same shall be paid. After said assessment has been laid as reduced by this act, the comptroller of the city of New York is hereby authorized and directed to repay to any person or corporation, who, as owner of the premises assessed, has paid an original assessment for said improvement prior to said reduction, a sum of money equal to the difference between the amount so paid, including interest or default, and the amount of such assessment as reduced by this act."

The total amount of special legislation is appalling. According to the report of the Fassett Committee, published in 1891, 1,284 acts were passed by the legislature affecting the government of cities in the ten years from 1880 to 1889. Of this number, nearly one-half—62?—

related to the three cities now combined in Greater New York. In the session of 1900, 118 bills to amend the charter of Greater New York were introduced, most of them designed to serve some private end, and nearly 70 were in the form of special acts for the "relief" of individual ex-members of the police force.

Evils Apparent.

The fundamental evils of such conditions are apparent. The system is devoid of all responsibility, for the members of the legislature who pass special acts interfering in local matters are not elected by the localities concerned. The New York city members do not control the legislature. The representatives from Rochester, or Buffalo, or Elmira, or Port Chester, are still fewer in number. Whether the local tax rate in New York is high or low is of little interest to the representatives from Schoharie county, and the senator from Sullivan county cares little what expenditures are imposed upon Buffalo. They are not elected by the cities concerned and are, therefore, in no way responsible for any acts they may pass regarding local conditions. It is but natural, therefore, that they give little attention to bills which may be of great importance to the cities concerned and vote for measures which interest them not at all, but vitally concern the towns interested.

Such a system naturally produces the greatest chaos in local affairs. There is no such thing as local self-government, but in its place government by irresponsible persons who have little interest in what they do, and are seldom, if ever, punished for misjudgment or malversation. It is but natural, therefore, that waste and lack of economy permeates the government of our cities. And if the citizens undertake to reward or punish the legislators, it is difficult in the first place to find who is responsible, and, having found the proper persons, it is difficult if not impossible to punish the guilty ones who are not elected by the city concerned.

The system affects detrimentally, not only the cities, but the state as well, for matters of general importance are often made to wait until local affairs have been fully attended to. And a question involving the commercial and industrial progress of the whole state may be pressing upon the legislature, but its consideration will be delayed until a bill affecting a client of some assemblyman is passed. Hence, if local matters were taken out of the hands of the state legislature, not only would city and local government generally be improved greatly, but

the state as a whole would be better governed and wiser laws would be enacted.

Remedies Suggested.

It may be at present impossible to make the local authorities independent bodies, but it is time that general laws were passed granting general powers to cities, and that the constitution be amended by prohibiting the legislature from interfering with matters that are strictly local.

In view of the tendency which most determinably shows itself in the legislature in the state of New York to interfere with local government, reference may be made to legislation in other states. In some there is maintained a steady growth in home rule provisions and in the increased powers and responsibility which are being given to city electors. In California, in 1901, a constitutional amendment was passed by the legislature (to be submitted to the people later), providing that amendments to home rule charters must be submitted to popular vote if petitioned for by fifteen per cent of the qualified voters of a city. Under the old constitutional provisions, charter amendments might be submitted to the people by the city legislative body, but no provisions existed for popular initiative. During the same session of the legislature two new freeholder charters made by the cities of Fresno and Pasadena were approved by the state law-makers. These charters provided a wide expansion of municipal activity and made public ownership of all public utilities possible, so far as the law is concerned. In 1901 a constitutional amendment was passed by the Oregon legislature whose purpose was to introduce municipal home rule into that state. The legislature is required to provide for the incorporation, organization and classification of cities by general laws, and any city may frame its own charter by means of a board of freeholders. A local charter when ratified by the people will not require legislative sanction, but will immediately supersede all special laws inconsistent with it.

The Colorado legislature also, in 1901, proposed constitutional amendments for the consolidation of city and county government in Denver, and for the granting of power to all cities of at least two thousand inhabitants to frame their own charters by means of popularly chosen charter conventions. The amendment relating to the city and county of Denver grants that municipality the widest powers for the municipalization of public utilities.

THE PENNSYLVANIA RIPPERS.

BY CLINTON ROGERS WOODRUFF.

Pennsylvania retains her supremacy in all that pertains to political manipulation, whether of officials or laws. For upward of a half century this commonwealth has produced more and greater practical politicians than any other state. This is no idle boast, nor outburst of state pride; it is a statement founded upon the facts. Point out a state which can boast of having two bosses in continuous control for fifty years, and yet this is Pennsylvania's record. First, Simon Cameron and in later years Matthew Stanley Quay, have been the arbiters of our political fortunes, and they have built up a political organization of unparalleled efficiency for the work they had in view.

Quay as a Reformer.

The year 1895 stands out with special prominence in political annals, for that is the year of the great uprising within the party against the continued control of Quay as party manager. Then it was that so strong and so nearly successful an onslaught was made. The governor of the state, the bosses of Pittsburg and Philadelphia and many lesser bosses of local influence were arrayed against him. His plight for a time seemed sorry, but with wonderful ingenuity and resourcefulness, he played the country against the city and the desire for reform against the entrenched forces of corruption in the municipalities. To the country he appealed for support on the ground that the triumph of his enemies meant an extension to the country districts of the bad methods which had made the politics of the cities odious. To the independent elements in the cities he offered support against the bosses. His municipal reform declarations were aptly and forcibly worded and indicated a true appreciation of the situation. His two-fold appeal, his trickery in holding a packed caucus of delegates two days in advance of the convention at

which dummies were present to answer for absent members, won him the day.

In the session of 1897, Quay began to carry out or attempt to carry out his pledges. The civil service reform bill, which had been carefully drawn after consultation with the friends of the merit system, was defeated by these same friends because of the harmful amendments introduced by enemies of the merit system. Other bills prepared in fulfilment of pledges were killed outright or amended out of all recognition or usefulness.

The people of Pittsburg were suffering from bad government and from bad laws. Quay promised them relief from both. Consequently new charters were drafted and introduced in profusion. Great mass meetings were held in their behalf and great delegations of business men went to Pittsburg in behalf of the measures devised to give relief. It is not necessary to describe the situation which they sought to remedy.* It suffices to say that the situation was bad and destined to become worse unless relief was speedily afforded. The existing charter was a series of wheels within wheels and gave almost unlimited power to the bosses to perpetuate themselves and their influences. The mayor was little more than a nonentity. The two really powerful offices were the directors of public works and of public safety. They were elected for four years by councilmen whose terms were two years and so was continued the system of circumlocution and indirection which Flinn and Magee had built up in their charter.

First Ripper Bill.

There was a general demand for a change and Quay was perfectly willing. His supporters in the legislature could get nothing too strong for Pittsburg, for Flinn and Magee had been persistently against him. Quay believed in reform for Flinn and Magee. Then his friends began to realize that a bill which affected Pittsburg would also affect Allegheny, which was a city of the second class likewise. Now Allegheny was a Quay city and therefore did not need reforming. Then they realized that there was no use giving Pittsburg so much reform if Flinn and Magee's men were to put it into force. Here was a dilemma which would have non-plussed a less astute politician, but Quay rose equal to the occasion, and directed that the cities of the commonwealth should

*This has been graphically told by George W. Guthrie before the National Municipal League in 1896 and 1902, and by Edwin Z. Smith at the Rochester meeting in 1901.

be reclassified so that Pittsburg would become a city of the first class like Philadelphia. This would leave Allegheny in a class by itself, not an undesirable result in his eyes. Furthermore, it appealed to Pittsburg's pride and gave to her the benefit of a charter greatly superior to her existing one.

This plan met half the difficulty and the other half was met by the "ripper" clause, which provided that when a city passed from one class to another all the elective offices of that city should become vacant and the governor be given power to appoint their successors. This was the most audacious proposal to defraud a municipality of its rights that had ever been suggested. It was strongly urged and pressed by the Quay people, but was subsequently defeated because of the attitude of the governor and the Philadelphia representatives in the legislature. The former declared he would veto such a measure, and the latter refused to support such a measure which would place Philadelphia and Pittsburg in the same class. So "ripperism" was for the time being defeated, at least so far as the session of 1897 was concerned.

Cities Deprived of Home Rule.

The session of 1899 was marked by a senatorial deadlock, and nothing was done in the way of driving Flinn and Magee out of politics. As a matter of fact, during that session these two men in a way had the whip-hand, and they successfully kept Quay out of a re-election to the United States Senate. In 1901, however, Quay defeated his opponents and was triumphantly re-elected. This carried with it a control of the legislature, and as he already controlled the new governor, who had succeeded the anti-ripper governor of 1897, he had everything his own way and he proceeded to make the most of his opportunity.

One of the first measures to be introduced was a bill entitled, "An Act for the government of cities of the second class." It promised to afford Pittsburg the much needed and long desired relief. The old attempt to reclassify the cities of the commonwealth was not revived. Allegheny and Scranton, which by the census of 1900 had become a second-class city, were included, but their interests were in a way subordinated to those of Pittsburg.

The bill in question in its original shape was a really excellent measure. It was modeled to a considerable degree after the principles of the National Municipal League's "Municipal Program." It was endorsed by the Chamber of Commerce, leading reformers and promi-

ment business men in Pittsburg. It was agreed that it should pass as thus endorsed. Then came political manipulation, and a good bill was transformed into an objectionable one by the injection of the justly famous "ripper" clause, which is as follows:

Section 1. Within thirty days from the approval of this act, the Governor of this Commonwealth shall, by appointment, fill the office of city recorder in each of the existing cities of the second class. The persons so appointed shall have the same qualifications as required for the city recorder under this act, and shall have all the powers and perform all the duties belonging to the office of city recorder under this act, until their successors are elected and qualified. Said successors shall be chosen at the regular municipal election in the year nineteen hundred and three, and shall be qualified and enter upon their office on the first Monday in April following said election. The provision in article one, section one, making city recorders ineligible for re-election for the next succeeding term, shall not apply to city recorders appointed by the Governor; and *said appointees, and their successors appointed by him, shall be subject to removal by the Governor during the term for which they may be appointed, and in case of such removal, or the death or resignation of any such appointee, his successor shall be appointed by the Governor in the same manner as provided by this section.*

Section 2. *Upon the appointments being made, as provided in the preceding section, the office of mayor as heretofore existing in any city of the second class shall be abolished.* The city recorders so appointed by the Governor, and their successors so appointed, shall have the right and power, and are hereby authorized to remove from office:

Director of Department of Public Safety.

Director of Department of Public Works.

Director of Department of Charities and Corrections.

Collector of Delinquent Taxes.

City Solicitor.

Members of the Sinking Fund Commission.

Members of the Board of Assessors.

Said recorders may appoint the successors of said officers, as provided in section one of this schedule, and the officials so appointed shall have power, and are hereby authorized to remove any and all of the officers and employees and persons holding position and employment in their respective departments, and appoint their successors, and the person so appointed shall be governed and controlled by this act. Controllers and treasurers shall fill out the terms for which they were elected or appointed, and at the expiration thereof their successors shall be appointed as herein provided.

The italicized portions of these quotations indicate the extent of the usurpation of the legislative and administrative functions of the municipality. True, the supreme court has subsequently in the test case of *Commonwealth vs. Moir*, 199 Pa. State Reports, 534, affirmed the legislature's right so to act; but did not and could not justify the act from a political standpoint. It was a bold and unscrupulous exercise of power designed to subject Pittsburg to the control of the machine. It strangely savors of feudalism in that a paramount lord exercises

power to subject and humiliate a recalcitrant and rebellious vassal. Pittsburg had refused to bend to the Quay will, not for any reasons of political principle or virtue, because Flinn and Magee differed from Quay in degree not in kind, and therefore it must be punished. The ripper legislation was the means adopted.

The Law in Operation.

The bill was not passed with ease. It represented a little more profligate use of power than some men could accept at first, and Flinn left no stone unturned to defeat the measure. The stories of bribery and corruption were frequent and no less a personage than the lieutenant governor of the state is responsible for the statement that money was used both for and against the bill. After a sharp skirmish and recourse to every known device and trick, the bill was passed and approved by the governor.

The people of the state were outraged at this abuse of legislative power, and they expectantly awaited the next step. The governor had thirty days in which to take it. By the end of that time he had removed the mayors of Pittsburg and Allegheny and appointed his own men to be recorders, and in Scranton appointed the then mayor to be recorder. This man, however, did not serve the powers that be to the extent desired, and he was speedily removed and a successor appointed. There was also considerable local "ripping" as a result, and a consequent disturbance of public business. In Allegheny, which has always been a staunch Quay stronghold, there has been no further change.

Pittsburg, however, has been the storm center. The legislation was devised with that city in mind, and its principal evils have been disclosed there. Before discussing the city's experiences, however, I want to record the fact that litigation was instituted intended to test the constitutionality of the act. The lower court decided the question in the affirmative and an appeal was taken to the supreme court which affirmed their decision.*

In substance, the supreme court held that municipal corporations are agents of the state, invested with certain subordinate governmental functions for reasons of convenience and public policy. The fact that the action of the state towards its municipal agents may be unwise,

*See Commonwealth *ex rel.* John P. Elkin, Attorney-General, *vs.* James Moir, Recorder of Scranton, 199 Pa. State Report, 534.

unjust, oppressive or violative of the natural and political rights of its citizens is not one which can be made the basis of action by the judiciary; nor can the motives of the legislators in passing legislation as to municipal corporations be made the subject of judicial inquiry or consideration. The vote was 4 to 3 in favor of the act. A dissenting opinion was written by Justice Dean.

Factional Fights.

The legal questions determined, public interests centered in the execution of the law. Major A. M. Brown had been appointed recorder. No sooner was he well ensconced in office than he proceeded to carry out the real intent of the act, and "ripped" out the Flinn workers. There are no statistics of the number of men ousted from office under the power conferred by the act, but they were very numerous. The "organization men," as Flinn's followers were locally known, were in consternation. They could not realize the situation. Their leader, however, saw that his factional opponents were realizing their purpose and that he was in danger of elimination, and furthermore that his municipal contracts and privileges were in jeopardy. What was known as the Bigelow-Oliver faction was in control of the city administration and its men were being placed in the executive offices. Flinn, however, controlled the municipal legislature and the Republican organization, and this gave him power to embarrass his opponents as well as to prevent them from carrying out their plans.

The Bigelows and Olivers had been friends of Governor Stone, who in turn had played into their hands, following their advice and suggestions concerning local matters. The Governor had generally been credited with an ambition to become United States Senator, and he was using his "ripper" power to advance that end. The appointment of A. M. Brown was intended to aid in this direction, but he proved somewhat less amenable than had been anticipated, and moreover he seemed to rely more upon the judgment of the Bigelows and Olivers than upon that of the Governor. This fact is referred to here because of its effect upon subsequent developments.

Governor Stone was greatly interested in seeing the election of his partner to the supreme court bench. He had appointed him to fill a vacancy and he wanted him to be chosen for the full term of twenty-one years. He had secured his nomination, but feeling in the state was running strongly against him because of his attitude and conduct during

the consideration of the ripper bill by the court. If Allegheny County should prove lukewarm because of Flinn's attitude, then the chances of the election of the governor's appointee would, indeed, be much less.

Here then were the elements for a successful deal. Flinn was in control of Pittsburg's councils and the Republican organization in Allegheny County. Stone wanted votes for his appointee, and he had as recorder a man who had not proved to be all that was expected or needed. The deal was consummated. Allegheny County rolled up a big vote for the Governor's candidate and promised him the delegates to the next convention and its votes for United States Senator. In return, Flinn secured the appointment of a friendly recorder. This deal was faithfully carried out as far as it could be. Recorder A. M. Brown was removed from office and J. O. Brown appointed in his place and stead, and then a new process of "ripping" began. All of A. M. Brown's appointees were removed and also all holdovers from his predecessor (W. J. Diehl), who had proved to be lukewarm to Flinn while they were holding office under A. M. Brown. This second stage was worse than the first.

Voters Defeat the Organization.

To say that the people of Pittsburg resented being made the football of politics is to express their indignation mildly. At the next election (Feb. 18th), they showed how they felt by defeating the Flinn organization by 8,000 majority, notwithstanding that the regular organization polled the largest vote in its history.

Rumors of a further exercise of the "ripping powers" have been frequent. Flinn's defeat in February greatly weakened him, and he has now retired from politics, although I have not seen any statement that he has gone out of the municipal contracting business. Recorder J. O. Brown is now the leading factor in Pittsburg politics, subject to the dictation and veto of the governor, who can remove him at will! Recorder Brown, however, has obeyed orders at the recent Republican state convention and turned in the Pittsburg delegates for the state administration's candidate for governor, Attorney General John P. Elkin. Since the convention there has been some further "ripping" in Allegheny because one of the delegates voted against Elkin for Quay's candidate.

The fight against the Pittsburg ripper machine will be continued at the autumn election by the same forces that brought about its defeat

in February last. There are some rumors of another change in the recordership to conciliate the Oliver element. Whether it will be made cannot be determined at this time. Nor is it necessary that it should be. Enough has been already developed to show the thorough iniquity of the legislation and its dangerous character. We believe that so far as the people of Pittsburg are concerned it will make very little difference whether there is another change in the recordership. They bitterly and vigorously resent the fundamental principles of the ripper, and judging from their action in the February election, they will rebuke any further interference, as well as punish those who were responsible for their degradation.

Whether the "ripper" legislation will become a state issue and affect the gubernatorial campaign, it is difficult to prophesy at this time. Had Attorney General Elkin been the nominee, there is no doubt but that it would have been; but the nomination of Judge Samuel W. Pennypacker has modified the situation. Elkin was part and parcel of the legislation and personified it. Pennypacker had no connection with it, as he was quietly discharging his duties as a judge of the common pleas in Philadelphia at the time and was in no wise responsible for it. There are those who believe that this change of candidate will eliminate or minimize the "ripper" issue in the present campaign, but the conditions have not so developed as to justify a prediction. That the people resent this interference with the fundamental principles of home rule is undoubted; whether they will display this resentment by voting against one in nowise responsible for it is doubtful. Quay has again demonstrated his wonderful shrewdness by this change of candidates, because he has already made doubtful what seemed at one time a hopeless case, and there are not wanting those who declare that his management has assured Republican success. Certainly his action has brought about the naming of a candidate who would not stand for a continuance of "ripper" rule or the inauguration of a new era of it. To this extent the resentment of the people seems to have been effective. It is to be hoped that it will be still further effective in securing the defeat of all legislators who were in anywise responsible for the iniquities of the session of 1901.

RURAL DOMINATION OF CITIES IN CONNECTICUT.

BY GUY STANTON FORD.

Since 1818 every state but one has formed or revised its constitution. That exceptional commonwealth, Connecticut, has just submitted a revision, the convention having met upon January 1, 1902, at Hartford. The central question is how the rapidly growing centres of population, which have sprung up since 1818, shall be represented in the general assembly—the State Legislature.

The Constitution of Connecticut, despite the changes of 1662 and 1818, has recognized ever since 1639 the same unit of representation in the lower house. When the people of the three towns of Hartford, Windsor and Wethersfield framed and adopted the Fundamental Orders, they arranged that the government was to be conducted by an assembly of four representatives from each town. They provided for expansion in terms justly liberal. "Whatsoever towns shall be added to this jurisdiction, they shall send so many deputies as the court shall judge meet, a reasonable proportion to the number of freemen that are in the said towns. * * *" Under this provision of the first written constitution ever adopted by a free people for their own government, other towns in the Connecticut valley were joined to the original trio. The unit was still the town, to be represented according to its size and influence.

In 1662 a royal charter was secured which was less democratic than the Fundamental Orders of 1639 in only one provision. It fixed the representation of each town in the House at not more than two members each. In connection with this House, composed of equal representation from the towns, the charter formed a body soon known as the Governor's Council, elected by a general vote of the colony. Thus it was that Connecticut came to have a body composed of a pop-

ular upper house, and a lower house more numerous, but representing the towns.* This arrangement suited the Connecticut of that day.

Revision in 1818.

When the Constitutional Convention of 1818 met, it was to revise an instrument whose features were writ large in the fundamental law of the whole land, and revered by every citizen. State pride, strong conservatism, such as is found in almost no other commonwealth, a feeling that the representative system of 1662 fitted the needs of an agricultural community, whose centres were still small towns, not varying much in size, the overshadowing importance of the question of a state church—all these led the convention to enact that: "The number of representatives from each town shall be the same as at present practised and allowed." The House continued to represent the state under the fiction of a federation of towns. The Senate was intended to be the popular body, elected at first on a general ticket for the whole state, later amended so that the Senators are elected from districts of equal population.

By amendments in 1874 and 1876, it was arranged that towns of over 5,000 were to have two representatives, and no town incorporated after 1876 was to have a representative unless it had a population of 2,500. This is the system of representation in the House, which at the last election allowed 7 per cent. of the population to elect a majority of that body. The Senate by gerrymandering and by the amendment of 1827 that no county was to have less than two Senators has been made anything but a representative body. At the last election less than one-fifth of the votes cast elected a clear majority of the Senate.

Connecticut, then, entered on the twentieth century with a constitution a half century behind its needs. From the proud position of leader and model in the matter of its constitution, Connecticut has fallen to the rear rank and is known throughout the nation as the stronghold of the rotten borough.

The responsibility for these conditions cannot be placed on the men of 1818. With commendable conservatism they built into the new instrument such features of the charter of 1662 as had proved practi-

*It is to be remembered that the "town" has reference to area rather than to population. All of Connecticut is divided into towns. Some are purely rural communities; others contain populous cities.

cable; equal representation of the towns was one such feature. The average population of the one hundred and twenty-two towns then was 2,300. Only nine exceeded 4,000; eleven had a population less than a thousand each, the other one hundred and four ranging between 1,000 and 4,000. In other words, it was a condition like that in Vermont at present where the Connecticut system of town representation works fairly well. The constitution-makers of 1818 fitted the instrument they framed to their day, to the Connecticut of small towns and agricultural interests.

Subsequent Developments.

The subsequent development could hardly have been foreseen. But Connecticut was just about to enter upon a new epoch. The manufactures called into being by the temporary cutting off of English supplies were to make her wealthy. Her inventive genius, already pledged in the work of Eli Whitney, was to make of the sturdy race of farmers a still sturdier race of mechanics.

Within a few decades after 1818, large cities gathered around the forges and foundries whose smoke now canopies the state. It was an industrial revolution comparable to that which came in England at the close of the eighteenth century, like that which brought such cities as Birmingham, Sheffield and Leeds into a political system which did not provide them with representation. The rise of New Haven, Hartford, Bridgeport and the decay of the agricultural communities has strained the primitive representative system of 1662. What might once have been called constitutional democracy has become an unjust oligarchy of little towns—a government of the majority by the minority.

From the tables before me I select a few typical anomalies of this archaic rotten borough system. Under the present arrangement the membership of the Connecticut House is 255, 168 towns being represented, 81 towns having one representative and 87 having two. The smallest four having two each are:

	Population.	Representatives.
Union	428	2
Hartland	592	2
Killingworth	651	2
Colebrook	684	2
Totals	<u>2,355</u>	<u>8</u>

The largest four are :

	Population.	Representation.
New Haven	108,027	2
Hartford	79,850	2
Bridgeport	70,996	2
Waterbury	51,139	2
Totals	<u>310,012</u>	<u>8</u>

The latter group of towns is about one hundred and fifty times as populous as the first, and yet it has the same number of representatives. These four cities comprise one-third of the population of the state and yet they have but one thirty-second of the membership of the most numerous branch of the general assembly. Their total vote in 1900 was 68,449, and that of the four towns first mentioned was 565. Thus in the election of representatives, one voter in the group of small towns equals 121 voters in the group of cities.

Statistics further show that a majority of the membership of the house comes from towns comprising one-ninth of the population of the state. So when it comes to questions of taxation, revenue, labor legislation, city charters, election of United States senators and similar questions, the eleven large manufacturing towns, one-half of the entire population, with their 22 votes, might as well be in Oklahoma for all they can accomplish in the face of the 233 votes wielded by the other half of the population.

Vicious "Rotation" System.

One test of the value of a constitutional provision is the character and experience of the men it secures to operate it. The method of choosing a legislative body should be such as to put a premium on fitness and experience. Judged by this standard, the town system has failed lamentably. In the decaying towns with their handful of voters it has become a custom as fixed as the law of the Medes and Persians that each voter in the dominant party who is half-way respectable is to have his turn at law-making. Re-election of a suitable candidate would be an affront to the waiting list of prospective legislators. The results are shown in a table prepared by Mr. Clarence Deming (Pol. Sci. Quar., Sept., 1889).

Year.	Whole No. of Representatives.	Re-elected from Previous Year.	Per cent. Re-elected
1790	171	109	63.7
1800	189	102	54.0
1810	199	83	41.7
1820	204	53	26
1830	208	47	22.6
1840	212	27	12.7
1850	222	27	12.2
1860	236	30	12.7
1870	239	24	10
1880	246	23	9.3
Compiled for 1901*.....	255	13	5.4

In 1901 in Tolland and Middlesex, agricultural counties having towns with 44 representatives, not a single member was re-elected from the previous House. Litchfield, one of the most rural counties, with 41 representatives, re-elected but one member and he came from the only large town in the county. The viciousness of the rotative system—a direct outgrowth of small town dominance—is emphasized when one considers for a moment what sort of legislative timber is to be found in the decaying agricultural communities of a state whose best blood has abandoned the farms for the cities. The free play of the rotative system among the twenty to forty men regularly present at the small town caucus of the dominant party has produced results to which no statistics would do justice. At times when great financial interests are at stake bribery and corruption are all too freely charged, and Connecticut's bucolic statesmen in Hartford for one session, a good time and the perquisites has become a by-word.

Minority Rule.

The Senate—called in this state the popular body—has through gerrymander, corporation influence and the provision that no county shall have less than two senators, become almost as unrepresentative as the House. These two bodies are able to pass laws over the governor's veto by a majority vote; indeed they frequently elect that officer and his executive associates. Up to the fall of 1901 the state officers had to be elected by a *majority* vote. Failing this the election went to the general assembly. This has happened in four cases out of ten in the last twenty years and in each case the candidates having a plurality of votes were defeated. So the state has seen itself not only misrepre-

*The change of the table to the odd-numbered year is the result of the introduction of biennial sessions.

sented in its Assembly, but in its governors and United States senators.*

The present constitution and the civic corruption it has fostered have been a source of regret to the best people of the state. Party interest and small town tenacity have combined, however, to delay reform. Agitation has been incessant for thirty years and has spread beyond party lines. The bar to remedying the generally acknowledged defects in the constitution has been the difficulty of amendment. An amendment must first receive the approval of a majority of the House. It is then published with the session laws. If two-thirds of both houses in the next legislature approve the proposed change it is submitted to the people for their approval. With biennial sessions this means the amendment must be up four years and run the gauntlet of two successive legislatures as well as the popular vote. Numerous attempts at amendment have cleared the first bar only to stumble at the second. With town prejudice holding one end of the bar and corporation influence the other, every essential amendment has failed no matter what colors it carried.

Movement for Revision.

Revision, then, became the demand of the reformers, but revision meant opening the door to possibilities of innumerable changes. Long indeed was the wait until the tangled wires of political, personal and patriotic interests all pulled strongly enough in one direction to bring the desired change. Broadly speaking, the Republican party entrenched in the small towns has found worthy of perpetuation the system which secured to them control of the legislature. The Democratic party, whose voters were massed in the cities, has been better suited to the role of reform. A group of Connecticut citizens in both parties and yet above them has stood consistently for the state and its broadest interests. Their agitation in season and out has affected the open-minded voters.

At the session of the last legislature the chairman of the Republican central committee introduced amendments arranging representation with a little more reference to the rights of the large cities. Governor McLean's annual message advocated the changes and the amendment method of securing them. The measure was moderate,

*The extent of the evils engendered by this system of elections by the legislature is here barely indicated. The election of minor judicial officers and county commissioners has, through political influence and party customs, become an arrangement by which the legislator and his party can pay political debts.

but the small towns gave an overwhelming adverse majority. Revision was the only alternative. A committee reported favorably on the proposition to call a convention, but the measure was in fair way to share the fate of Chairman Fyler's amendments when Governor McLean stepped into the arena. Advocates of revision, members of his own party, friends in the small towns who pointed with pride to a governor out of their own midst—all were startled when Governor McLean sent to the legislature a ringing special message—and that message a slogan for constitutional revision. After noting the failure of the amendment plan Governor McLean said:

I now consider it my duty to myself to inform you that I look upon a Constitutional Convention as far less dangerous to the system of town representation and the good of the State than would be continued failure to give this matter the favorable consideration it deserves before your final adjournment. As a citizen of a town of less than 2,500 inhabitants and a firm believer in town representation as established by the founders of our government, I am convinced that we cannot too soon indicate our determination to treat this all-important subject fairly and fearlessly, if we desire to merit and preserve the confidence and support of the people of the State of Connecticut. If the small towns ever lose their right of representation in the general assembly, it will be due to their own refusal to exercise that right that it can be defended by its best friends.

The strong press of the state rallied around the young executive. The leadership of the dominant party was committed to the policy of submitting to the people a proposition to revise. Within a few days after Gov. McLean's special message the act was passed providing for submission to the people of the question of revision. October 7, 1901, about three-eighths of the voters expressed an opinion. The result was a majority of over 20,000 in favor of revision.

An Emasculated Convention.

The condition precedent to a convention, insisted on by the small town Representatives, was that its membership should be on the basis of one from a town. They further emasculated the convention by rejecting the proposition for twenty-four delegates-at-large to be chosen on the system of proportional representation, thus neglecting an excellent opportunity to levy on the brains of the state. Under the arrangement adopted, the small towns are more firmly fixed in the control of the convention than they have been in the control of the general assembly. Three decades of agitation produced a convention devoted to a system which was out of date when England was passing her first Reform Bill.

The Constitutional Convention met at Hartford, January 1, 1902. It organized by choosing as its chairman Ex-Chief Justice Andrews, a stalwart upholder of the town system and a man of considerable ability. The spirit in which the convention viewed the work it had undertaken is shown by their vote to have no official stenographic report of their deliberations. The special committee method of transacting business was rejected, and all important business was transacted in committee of the whole, the convention desiring to escape as far as possible all hidden and undesirable influences. The first eleven weeks were devoted to a consideration of the question of representation.

The hope of relief to the towns containing larger cities lay in their ability to do two things. They should have united among themselves on a plan which, while preserving the town principle, graduated representation with some regard to population; and they should have labored to get the adherence to this plan of those among the small town delegates who were willing to make some concession. In all of this they have failed more from abundance of leaders and plans than from lack of them. The adherents of the present system have, on the contrary, known what they wanted and how to get it. Their leader was the able member from Salisbury, Mr. D. T. Warner. Party lines were not drawn on the main issue any more than they were in the election of delegates to the convention. Judged by results this is a doubtful benefit, for as it took party responsibility to get the convention called, it might have led to a different outcome if some one party could be held responsible at the polls for the result of the convention's work.

Triumph of the Small Town.

About sixty different plans for apportionment of representation in the House were introduced. They may be divided into three groups:

1. Plans for a system common to many states of districts nearly equal in population as units of representation in both houses. 2. Graduated modifications of the present system, *e. g.*, the "Hartford plan," which provides for a house of 215, distributed as follows:

134 towns	under 5,000.....	1 representative each.
28 "	between 5,000 and 25,000.....	2 representatives each.
2 "	" 25,000 and 50,000.....	3 " "
2 "	" 50,000 and 75,000.....	4 " "
1 town	" 75,000 and 100,000.....	5 " "
1 "	over 100,000.....	6 " "

3. Maintenance of the town system as at present or with absolute equality—"one-from-town" and "two-from-a-town" plans.

The unity and aggressiveness of the small towns early revealed how difficult was the task of getting any concession. Some twenty-five or thirty small town delegates were willing for various reasons to concede a modification of the present system in favor of the large towns. But the majority considered the voice of the handful of voters in their own borough the voice of the state. Public opinion as manifested in every one of the leading papers thundered its calls for reform into deaf ears. Despite the extreme mildness of the demands of the large towns—it will be noticed that the Hartford plan leaves an absolute majority in the House in the hands of 134 small towns—the conservative forces refused relief and adopted provisions removing the House further from the control of the people.

The leaders of the small-town forces moved steadily toward their goal. On February 11, by a vote of 117 to 39, they carried a resolution in favor of equality of representation in the House. On February 12, the Warner resolution providing for one representative from each town was passed in committee of the whole, 106 yeas to 48 nays, the Senate, size unstated, to be based on population. On February 25, the committee of the whole voted by 69 yeas to 59 nays in favor of a senate of sixty. In the matter of the enlarged senate, there was not decided unity among those supporting the one-to-a-town house. It is felt that in a large senate the corporation influence—particularly railroad influence—would be less likely to dominate. Litchfield county, which feels particularly aggrieved by the way the New York, New Haven and Hartford has been able to prevent its having another railroad outlet, is uncompromisingly for the enlarged senate. So "one-and-sixty" became the war cry.

Parliamentary Sharp Practice.

The action of the committee of the whole was confirmed in regular session. The one-to-a-town house was approved by a vote of 84 to 75, the clause constituting a senate of 60 receiving 101 yeas to 56 nays. The salary of members was fixed by another clause at \$500 instead of \$300 as heretofore. The whole article was then put on its passage, receiving 79 yeas to 66 nays. This—a majority vote of those present and voting—was not sufficient. By a rule adopted at the opening of the convention no article was to be considered a part of the constitution unless it received an actual majority of the membership of the convention, or 85 votes. A reconsideration of the vote on the whole article was made a special order for the next day.

On March 13 the motion to reconsider the vote on Article III. was carried. At this point the adherents of the one-and-sixty plan executed a clever tactical manoeuvre. No further mention was made of the motion to adopt Article III., which was by all parliamentary law the business before the convention. Delegate Maltbie of Granby moved the adoption of the first three clauses of Article III. "*as part of the constitution.*" This included the one-to-a-town house. On the vote the clauses received 84 votes to 66, and President Andrews, when his name was called, made the affirmative vote 85. He then declared the clauses adopted as part of the constitution. His attention was called to the fact that on the preceding day he had expressed the opinion that after an article had been considered section by section, the article as a whole would need to pass by a vote of 85 in order to become part of the constitution. President Andrews admitted that he had expressed some such sentiment but only in conversation from the chair to an individual member on the floor, that it was in no sense a ruling. Delegate Maltbie moved the adoption of clauses 4-13 of the article on representation, these clauses embodying the 60 senate. They were adopted, 90 to 57. The article as a whole was not submitted. This was on Thursday, the day of the weekly adjournment. By the succeeding Tuesday Delegate Perry was ready to show the chairman that the motion to adopt Article III. as a whole was still undisposed of and therefore before the House; that Delegate Maltbie's separate motions of Thursday were not substitutes for his motion of Wednesday to adopt Article III. The chair agreed, but Delegate Maltbie promptly rose and withdrew his motion of Wednesday. The action of Thursday in adopting the clauses by majority votes remained, however, the action of the convention on the subject which had been the cause of their convocation.

Aggravated Rural Despotism.

The unrepresentative character of the convention's action is shown by the fact that the 85 votes for the "one-from-a-town" house represent but 156,387 out of a population of 908,355. In other words, 16 per cent. of the population have outvoted 84 per cent. and so arranged matters that in future houses of representatives two-ninths of the population will have as many votes as the other seven-ninths. A writer in the *Evening Post* has well summed up the result:

As the case stands, the little town majority riding roughshod over the cities has cut down by three per cent. the representation of the seventeen urban towns in the lower house as it now stands; and in the senate, where the urban towns,

under the November amendment, obtained popular representation, the cities can only gain in number of senators, not in ratio. The actual disparity is therefore worse than under the present system.

Thus matters stood until the closing days of the convention. Meanwhile the opinion of the state, evident in the utterances of the press and of the publicists, made it clear that the "60 and 1" plan was doomed.* The small town delegates could not muster enough votes to include it in the final draft of the constitution. A mushroom crop of compromises sprang up over night. None was given due consideration. The general public was indifferent, for it had made up its mind about the convention and its work. A slight change in the wording of the refusal to give representation to those paying taxes was a matter of indifference alike to those who wanted redress and to those in the small towns who thought the old constitution was good enough. The convention itself was anxious to adjourn. Without due deliberation, a hitherto unconsidered plan as to representation was adopted and included in the draft of a constitution submitted to the people. It provided for a representation of: One for towns of 2,000. Two for towns of 2,000 to 50,000. Three for towns of 50,000 to 100,000. Four for towns of 100,000, and an additional representative for each 50,000 inhabitants. The Senate was to consist of forty-five members.

The compromise pleased no one. It was simply a rearrangement of inequalities. The absurdity of the new injustices was pointed out alike by adherents of the old system and by advocates of reform. Gov. McLean came out flatly in opposition to the constitution. Others of his party scented danger if the question was kept open, and began to talk weakly of the advantages of a half-loaf. The feeling that the convention had failed in dealing with its main problem prevailed and the verdict at the polls on June 16th was decisively against the new constitution. The lightness of the vote (about 15 per cent.) is as expressive of disapproval as is the adverse majority of over 9,000 in a total vote of 32,000. There was a majority against the constitution in every county in the state—the small towns disapproving a plan that in any way changed the present system. A Senate of forty-five did not offer many advantages over a Senate of thirty-six secured by amendment last fall. The other newly adopted amendment allowing state officers

*The main part of this article was prepared before the convention saw itself forced to abandon the "60 and 1" plan. As the plan represents what the small towns fought for, the article takes more extended notice of the "60 and 1" scheme than of the one finally submitted to the voters.

to be elected by plurality left but the one question of representation in the House, and it was felt that that could be dealt with by amendment more effectively than it had been by the newly drafted constitution.

With the failure of the new constitution the agitation, hitherto for non-partisan revision, will likely pass into a different phase. It seems now that it is in a fair way to become a party question. The Republicans are likely to be forced into a definite stand in the matter by the demand of the large towns for a more equitable system of representation in the party conventions. The present system follows the distribution of representatives in the general assembly. The action of Gov. McLean can hardly be ignored, though he is not, for personal reasons, to be the party's candidate this fall. The Democrats seem more than willing to see the agitation continued. But the cry is not likely to be for revision. The method more normal to Connecticut of piece-meal revision by amendments is probably the one that will be followed, and ardent reformers must not be disappointed if it be some time before the voters of the commonwealth can be again aroused sufficiently to insure their understanding and approving necessary changes.*

But changes will come. Fifty years of agitation have been, let us hope, fifty years of education. They deceive themselves who think the state is willing to remain long under the present inequalities.

There is no turning backward the tide that in this land moves toward political equality. Connecticut may for a time form a back eddy but not for long. The compelling might of political justice, of great economic movements, moulds constitutions. The fair-minded men of the state—and they are an aroused majority—will not see the disenfranchised cities forced to submit longer to an instrument of Charles II. which is built on taxation without representation. The men whose ideas and interests have come down to them from another century must for one moment let themselves be shown the Connecticut of to-day with its political needs, its political necessities. Then they will realize that the true Connecticut principle of representa-

*This whole matter is deserving of study from another standpoint. It illustrates all the peculiarities of this old commonwealth in contrast with the freer, more progressive and ready-acting communities of the West. Connecticut is not larger than some Western counties and yet the slowness with which it changes to meet new conditions, the persistence of the old in sharp contrast with the modern makes it possible for the newspapers to talk with a great degree of truth about the misunderstandings and misinformation prevailing in the small towns of one county concerning the conditions and needs of the larger towns in the next county.

tion was stated in the Fundamental Orders of 1639: "A reasonable proportion to the number of freemen that are in the said town."

Other Matters Considered.

Several other matters relative to city affairs were briefly considered by the convention. A proposition was introduced looking to the classification of cities into three groups and the enactment of a general charter for each group, thus doing away with special charters. This measure was urged by the convention of city mayors meeting in Hartford. The mayors also urged that no clause be inserted in the constitution which would abridge the rights of the cities to go into the business of supplying water, gas or electricity. A section forbidding a municipality to issue bonds, except to refund outstanding obligations, without the approval of the voters, was embodied in the new constitution without debate. After a sharp struggle the word Christian was stricken from the constitution, the opinion of the clergy in favor of the omission overcoming the prejudices of many of the delegates. The veto of the governor, as at present, was to be overridden by a majority vote of both houses. The governor and other state officers were to be elected by plurality vote. Judges were kept on short term and low pay as in the terms of the present constitution. Female suffrage was hardly considered. Its advocates, in view of the bad precedent it would create, were refused a hearing before the committee of the whole, and the clause in favor of women voting went down for good in an adverse vote of 110 to 3. The merit system as now applied in the New York constitution was incontinently rejected, the brief comment being that though possibly a good thing, "we are not prepared for it yet." A commendable provision of the new constitution was that forbidding members of the legislature to accept offices either from the governor or legislature.

Among the more thoroughly debated questions was the insertion of a clause forbidding special legislation. Such a provision exists in the constitution of thirty-eight other states, and the record of recent Connecticut legislatures justifies its adoption here. The last legislature was nominally in session seventy-six days. Of that time the house really held sessions amounting to 135 hours and the senate 80, but in that brief time they passed 566 special acts and 184 public acts.

Among the best discussions was that of the legal talent over the question of the jury trial in civil suits for damages. At present

the defendant in a damage case, by defaulting the case or by the overruling of his demurrer, is enabled to throw the fixing of the amount of damages into the hands of the judge. The influence and interests of the corporations are naturally wholly in favor of the present system, which seems to have worked no decided injustice.

HOME RULE IN OHIO.

BY MILO ROY MALTBIE.

Ohio has long been known as the state where special legislation has been most rampant and where the courts have gone furthest in upholding the right of the legislature to meddle with local affairs in whatever direction it chose to wage party warfare. Within the past year, both the legislature and the courts have been active, and the contributions they have made to the discussion are, certainly, from some points of view the worst and from others the best, that have recently demanded attention.

Several of the large cities are the strongholds of the Democratic party. The state government is controlled by the Republicans, who have considered their interests somewhat endangered owing to the growing popularity of a few Democratic mayors and an Independent who formerly was a Republican but refused to obey the dictates of party bosses. Something must be done, they argued, to weaken Democratic control over the cities, and Mayor Johnson and Mayor Jones have been the first to be dealt with.

Cleveland Park Bill.

The first measure of special importance concerned the Cleveland park department. Without excuse a bill was introduced into the legislature depriving the city authorities of their powers and transferring the administration to a county board appointed by a Republican official. The members of the legislature from Cuyahoga County, backed by an almost unanimous vote of the city council, moved an amendment providing for a referendum by popular vote, but the legislature refused to permit the people of Cleveland to say whether they preferred the present system of local self-government or a county board. The bill was passed by a strict party vote, as one might have expected. A leader in the senate made the following statement during the debate upon the bill:

"I should hesitate to permit the people to vote on matters pertaining to the parks. The parks are a contribution from the rich to the poor. A contribution

from the more intelligent to the less intelligent. They should not be controlled by those who have the political or business interests of the city on their hands. The parks should be controlled by the class which donated them."

Franchise Taxation Nullified.

The park ripper was followed almost immediately by an act taking from the city the power to assess property for taxation. When Mayor Johnson took office as chief executive of the city of Cleveland, prominent among his first efforts was the preparation and presentation to the local assessment board of evidence to show that franchise corporations were assessed only about one-tenth of the market value of their securities, while other property owners were assessed on the average of 40 to 60 per cent. As a result of the facts brought to light by this inquiry, the local board added about \$20,000,000 to the tax list. Naturally, the franchise companies were very wroth, and they appealed to the state board of appraisers and assessors, consisting of the governor, attorney general and state auditor. This board remitted the additional assessment and thus deprived the city of upwards of half a million of dollars in taxes annually.

To prevent the recurrence of such "injustice" and the adoption of a similar plan by other cities, a bill was introduced in the legislature and passed upon May 1st, as a Republican party measure. The act provides that the county auditor of any county may request and secure from the state board of appraisers and assessors the appointment of a board of tax review to supersede all other local bodies. Thus, the defeated auditor of Cuyahoga county may, before he leaves office next fall, call for a board of tax review and do away with the city tax board, appointed by Mayor Johnson, thus throwing the assessment of property into the hands of a state board. Not only are local affairs to be transferred to state officers, but duly elected officials are to be deprived of their powers because they do not belong to the same clique as the man who has just been repudiated by the voters themselves—a reminder of the *quo warranto* proceedings under the Stuarts in England, when cities were deprived of their charters by corrupt courts!

Cleveland Charter Attacked.

These two "rippers" were followed by an attack upon the charter of Cleveland, which has been in force since 1891, and as to the legality of which there has been no question. Ostensibly, it was a general act referring to "cities of the second grade of the first class," but everyone knew that Cleveland was the only city "of the second grade of the

first class," and that this classification had so been arranged that no other city would become a city of the second grade, first class. The layman believed this was an evasion of the constitution which prohibited special legislation; but the courts had held that such classification did not violate the constitution. For a decade no question had been raised, and it was generally believed that the act was legal according to the decisions of the courts.

But the politicians lately saw an opportunity to use to advantage the feeling quite common among laymen, lawyers, and even the judges themselves that the courts had gone too far in upholding the power of the legislature to pass acts general in form but special in their application. Such a combination—politics, good law and wise political science—had never been brought about before, but why should not the Republicans take advantage of it?

The political character of the attack is further evident from the fact that the charter of Cleveland is considered by many to be well drawn and in harmony with the best ideas on municipal administration. It covers less than twenty pages. It separates executive from legislative functions, and unifies the administration, placing it under the control of the mayor, who may veto any item in a budget as well as disapprove it as a whole. The heads of the six important departments constitute a "cabinet" patterned after the President's cabinet, which feature has given the name to the system, it being commonly known as the "federal" plan. The council is a single body and has considerable power for an American city council.

Notwithstanding these excellent features, notwithstanding the charter has been in force over ten years, notwithstanding there are far worse instances of special legislation which the Republican attorney general has passed without notice (perhaps because the interests of his party henchmen were conserved by keeping those laws on the statute books), notwithstanding the city of Cleveland itself seems satisfied with the charter and is making no demands for its repeal or voidance, the attorney general goes before the courts in *quo warranto* proceedings and asks for a judgment of ouster, naming as defendants the executive heads of the six departments of law, public works, police, fire, accounts, and charities and corrections.

The argument for the issuance of a judgment of ouster involved but two essential points. The plaintiff maintained that the act of

1891—the city charter—conferred corporate powers; this was admitted by the defendants. The plaintiff further held that the act, being limited to “cities of the second grade of the first class,” was a special act, the passage of which by the legislature was forbidden by article XIII., section 1 of the constitution.

Two other cases of a similar character came before the supreme court about the same time. As all were decided in the same way, upon the same day and upon the same grounds, the decisions being unanimous in each case, we turn to the facts in the other cases before analyzing the opinions rendered.

Toledo Police Ripper.

While this ripping of Cleveland was going on, a deal had been made, it is claimed, between certain Toledo Republicans and Democrats who found they could not get from Mayor Jones the recognition, in the way of spoils and contracts, to which they thought they were entitled either as members of a minority or of the majority party. Accordingly a bill was passed by the state legislature which provided that the administration of the police force should be transferred to a state board of police, and its members, four in number, were to be appointed by the governor and removed by him for official misconduct. Nominally, it was to be a bi-partisan board (such as we are so familiar with in New York), as not more than two of its members were to be of the same political party. This bill was passed with little opposition, there being but four votes in the entire legislature against it, which indicates how difficult it is for an independent mayor, no matter how unanimous may be his local support, to receive fair treatment at the hands of a legislature which is mortgaged body and soul by either one party or the other. The police department had been singularly free from criticism; there had been no charges of “partizan favoritism” or other scandal; the finances were in excellent condition, and in almost every direction the administration had been efficient.

Immediately, two Republicans and two Democrats were named by the governor, and the new police board made a formal demand upon Mayor Jones for the transfer of books, papers and property pertaining to the police force. Mayor Jones refused to grant the request, stating:

“The board of police commissioners have been elected to their positions by the votes of the people of Toledo, at a regular election, and I have been elected for the third time to the position of mayor and ex-officio president of the board by their vote. We believe that the will of the people is supreme; that there is no ‘authority,’ under our form of government, superior to or that can supplant the

will of the people, as expressed at the polls. If we once concede that there is some authority greater than the people that can, at will, remove or dismiss a public official, chosen by the people according to the forms of law, then it is clear that there is no hope for the survival of liberty or free government among men, and the provisions of the constitution guaranteeing the popular government are, therefore, valueless."

The Courts Take a Hand.

The case was then taken into the courts and an application made for a writ of mandamus directing the city authorities to turn over the books, records, etc., to the state board. A unanimous decision was rendered upon June 26th by the supreme court, which declared the law unconstitutional, being in violation of the provision of the constitution which ordains that "the general assembly shall pass no special act conferring corporate powers" (*State of Ohio ex rel. Isaac E. Knisely et al. v. Samuel M. Jones et al.*). At the same time, two other decisions were handed down, applying the same rule to the cases of "*The City of Cincinnati v. the Trustees of the Cincinnati Hospital* and *The State of Ohio ex rel. v. Beacom et al.* The former held that an act granting to the Trustees of the Cincinnati Hospital power to issue city bonds was invalid as it was the granting of a corporate power by special act. The latter case held that the heads of the six departments of the city of Cleveland, holding their offices under an act applying to "cities in the second grade of the first class," were illegally in office, and that the charter was invalid because it applied to only one city in a system of classification which adopted an arbitrary and illogical basis of classification. But to afford "the other departments of the government of the state an opportunity to take such action as may seem best," the execution of the judgment was suspended until October 2nd, 1902.

Law Held Unconstitutional.

The Cincinnati and Cleveland cases were based upon the decision made in the Toledo case, as Justice Shauck, who wrote the opinion in each case, expressly stated. It is sufficient, therefore, to summarize the decision in *Ohio ex rel., etc., v. Jones et al.* The court admits that there has long been in vogue a classification of cities which placed each of the larger cities in a class by itself, that corporate powers have been granted by a classified description instead of by name, and that such legislation has been held to be constitutional. The court then goes back to the constitutional provision of 1851, which is still in force, and to the legislation then enacted (these are discussed in subsequent paragraphs), and declares:

"Two things were true and they were of the essence of the doctrine. Advancement was by a rule of unvarying application, and every municipality might become subject to the operation of every statute conferring corporate power upon its own or a higher class.

"The number of classes into which successive acts have since divided the municipalities of the state to make them recipients of corporate power cannot be ascertained upon any inquiry that is practicable. Sections 1546 to 1552 of the Revised Statutes, relate exclusively to the subject of classification. The first of these sections now provides that cities of the first class shall be of three grades, and cities of the second class shall be of eight grades. In the present view grades of classes are but added classes. In these eleven classes the eleven principal cities of the state are isolated, so that an act conferring corporate power upon one of them by classified description, confers it upon no other. They have been isolated under the guise of classification, as their growth promised realization of the belief which was the foundation of the judicial doctrine of classification, viz.: that their advancement under the unvarying rule of population, would give a wider operation to acts conferring corporate powers. * * *

"In view of the trivial differences in population, and of the nature of the powers conferred, it appears from such examination, that the present classification cannot be regarded as based upon differences in population, or upon any other real or supposed differences in local requirements. Its real basis is found in the differing views or interests of those who promote legislation for the different municipalities of the state. An intention to do that which would be violative of the organic law should not be imputed upon mere suspicion. But the body of legislation relating to this subject shows the legislative intent to substitute isolation for classification, so that all the municipalities of the state which are large enough to attract attention shall be denied the protection intended to be afforded by this section of the constitution. The provisions of the section could not be more clear or imperative, and relief from the present confusion of municipal acts and the burden which they impose would not be afforded by its amendment. Since we cannot admit that legislative power is in its nature illimitable, we must conclude that this provision of the paramount law annuls the acts relating to Cleveland and Toledo, if they confer corporate power. * * *

"Surely we shall not err if we regard the phrase 'corporate powers,' as embracing all the powers which, within the observation of those who framed and adopted the constitution, were conferred upon and exercised by all of the cities of the state. Of these powers perhaps none is more conspicuously exercised than that of maintaining the public order and enforcing municipal ordinances."

The full import of these decisions, the extent to which the courts of Ohio have permitted politicians continually to meddle in local matters and how far previous decisions have been reversed cannot fully be appreciated without briefly reviewing the history of special legislation.

History of Special Legislation.

Ohio was almost the first state to attempt to remedy the evils of special legislation by a constitutional prohibition* Half a century

* For a more complete discussion of this subject and still further facts, see Wilcox, *City Government in Michigan and Ohio*.

ago, in 1851, after considerable discussion the constitutional convention then in session adopted the following provisions:

- (1) The legislature shall pass no special act conferring corporate powers (Art. XIII., sect. 1).
- (2) It shall be the duty of the legislature to provide for the organization of cities and incorporated villages by general laws, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent the abuse of such power (Art. XIII., sect. 6).
- (3) All laws of a general nature shall have a uniform operation throughout the state (Art. II., sect. 26).

These provisions are still in force, having never been repealed or amended, but the legislature, as upheld by the supreme court, until the decisions of the last few weeks, had almost nullified them.

In pursuance of the clauses above cited requiring the legislature to pass a general law conferring corporate powers, the general assembly on May 3, 1852, passed an act repealing all special charters then in force and bringing all municipal corporations under the general law. Public corporations were classified as follows: Cities of more than 20,000 population were to constitute the first class, cities from 5,000 to 20,000 the second class, and all others were grouped either as incorporated villages, or incorporated villages for special purposes, or special road districts. A municipal organization was provided for each class, powers were granted in general terms, and to a considerable extent the local bodies were left free to decide matters of local interest. Cincinnati was the only city of the first class.

The following year another act was passed amending and supplementing the law of 1852; and each succeeding legislature has continued the exercise of this prerogative. At first some pretense was made of keeping within the provisions of the constitution by grouping the cities and villages into a few classes according to population, which seemed to be the intention of the constitution; but as the cities increased in size and the statutes came to specify more in detail the organization and powers of the city governments, regard for the constitutional provisions was thrown to the winds and acts without number were passed which were general in form but which actually dealt with single cities, thus evading the constitution. When cases were brought to the atten-

tion of the courts, they approved this procedure, which in turn made the legislature more bold and caused it to still further interfere in local matters. A few instances will suffice to show the general character of this special legislation.

(1869) "The city council of any city of the first class having a population of 150,000 inhabitants, wherein a public avenue of not less than one hundred feet in width is now projected, to be known as 'Gilbert avenue,' is hereby authorized to issue the bonds of said city in any sums not exceeding \$150,000, for improving such avenue, bearing a rate of interest not to exceed seven and three-tenths per cent. per annum * * *."

(1872) "Villages or cities containing a population of 5,641, and no more, by the federal census of 1870, published in the last volume of the Ohio Statistical Report," were authorized to erect car shops.

(1877) Two laws applying to cities "having a population of 12,652," and "a population of not more than 11,082, nor less than 11,080," according to the last federal census.

(1885) "Any city of the second grade of the first class is hereby authorized to issue bonds to an amount not exceeding \$65,000 to provide means to construct and rebuild a bridge over Walworth Run, on Pearl Street, in the city of Cleveland, * * *."

(1890) "That in any village, situated in a county containing a city of the first grade of the first class, which has been heretofore specifically empowered by a special act of the legislature to issue bonds for the purpose of purchasing a suitable site and erecting thereon a building containing a town hall and offices for the officers of the corporation, and said act has been found to be unconstitutional because of conferring corporate powers by special act * * *."

It is evident to the most casual observer that each of these acts was intended to apply to only one city. Of course there was only one city wherein "a public avenue of not less than 100 feet in width is now projected to be known as Gilbert avenue." Cities with a population "of not more than 11,082 and not less than 11,080" are not usually very numerous. An act which refers "to any city of the second grade of the first class," when it is known that Cleveland is the only city in such grade and class, is special legislation beyond a doubt. This scheme of classifying cities so that each one would be in a class by itself resulted in an enormous amount of special legislation. During the 17 years from 1876 to 1892, over 1,200 special acts were passed granting powers to municipal corporations,* and as Justice Shauck has said above, each of the largest eleven cities is now in a class by itself, grades being only additional classes.

What are Special Acts?

One wonders, after looking over the voluminous statute books of

*See Wilcox, as cited above, upon whom I have drawn for the facts here given.

Ohio, which are crowded with acts the evident purpose of which is to evade the constitution, what must have been the attitude of the courts and what their interpretation of the constitution of 1851 to permit such wholesale evasion. Of course under our theory of judicial procedure, an act although illegal may continue upon the statute books and be in actual operation for years, and perhaps until repealed; for unless a person deems himself aggrieved and appeals to the proper authorities, no case comes before the courts to test its validity, and until such action is brought, the courts do not give a decision. Thus, in Ohio there are many laws that have been enacted and put in force which are in fact illegal and would be so declared if properly brought to the attention of the courts. However, when cases have been brought before them, they have seemed very willing to permit such legislation and have upheld many acts in apparent contradiction and violation of the provisions of the constitution.

In the case of *Bronson v. Oberlin* (41 Ohio St., 476), the courts held that it was perfectly proper for the legislature to pass an act effecting only incorporated villages "having within their limits a college or a university." In a later case (*State v. Pugh*, 43 Ohio St., 98), the rule was laid down, in the language of the court, that it is not to be urged against legislation general in form concerning cities of a designated class or grade, that but one city in the state is within the particular classification at the time of the enactment, nor is it fatal to the act in question that the belief or intent of the individual members of the general assembly, who voted for the act was, that it should apply only to a particular city * * *. Although it is * * * admitted * * * that no other city than Columbus is within * * * the class and grade contemplated by the act."*

As to what are corporate powers, the courts of Ohio held in the case of *State v. Covington* (29 Ohio St., 111), and approved in *State v. Baughman* (39 Ohio St., 455), that the administration of a police force was not a corporate power. In a later case, *State v. Smith* (34 Ohio St., 348), this doctrine was extended to include the appointment of boards of public works.

Purport of Recent Decisions.

Comparing these decisions with the opinion rendered by Justice Shauck, it is evident that the court has reversed itself. The doctrine laid down in the case of *State v. Pugh* is almost directly repudiated in *State v. Beacom*. The facts are almost identical in *State v. Covington*

* Upon the legal side of the home rule question, see Goodnow, *Municipal Home Rule*.

and *State v. Jones*, but the decisions entirely different. Indeed, the judges seem to have appreciated the fact that they were reversing the position of the court. Doubtless the latest opinions are better law than those previous, but it is very unfortunate, to say the least, that the supreme court should realize this at such a late hour when its motives may so easily be construed as political. It is probably the purpose of the ripping now going on to place Cleveland and Toledo under the rule of Republican bosses, just as Cincinnati, normally a Democratic city, has been made over under Boss Cox. That only when Cleveland has ceased to be a Republican city and has become Democratic, the supreme court should find out that the charter is unconstitutional—a very liberal charter which was given to it in 1891 as a reward for its Republicanism—is unfortunate to say the least.

Since the decision of the supreme court upon June 26th, it has become quite apparent that the purpose of the action brought by the attorney general to oust Mayor Johnson's cabinet was simply a preliminary move. As Professor Bemis shows elsewhere in this issue, the street railway interests have opposed very bitterly the granting of new franchises to a competing corporation upon the basis of three-cent fares. The courts overthrew the first grant upon certain technical grounds, and the city authorities have been preparing to meet these objections and again put up at public auction the franchises which were offered some time ago. There seemed to be no way of preventing this, and in their distress the possibility of having the Cleveland charter declared illegal suggested itself. The scheme was first tried as told above upon a question which apparently involved no corporate or political factors. Being successful in this, a way was opened to the blocking of Mayor Johnson's franchise schemes. Thus within a few days the attorney general has begun *quo warranto* proceedings in the courts to oust the city council of Cleveland, and the judge of the circuit court has granted an order restraining the council from further franchise action until the case is heard and decided.

These facts speak for themselves. Comment would be superfluous. In the whole history of state interference in local matters there are few instances which call for more severe condemnation.

In conclusion I quote from an editorial of Louis F. Post, in *The Public*:

"The recent revolutionary municipality decision of the supreme court of Ohio has produced a picturesque political situation in that state. For many years

Republican legislatures have been making special municipal charters and regulations under a constitution which expressly forbids it.

"In this way Cincinnati, normally a Democratic city, has been put under the government of state boards which has resulted in its being ruled by a Republican boss, Boss Cox, who dispenses the local patronage of the state. Cleveland, on the other hand, having always been a Republican city, was allowed to have an excellent system of home rule government, known as the federal plan, under which the heads of departments are directly responsible to the mayor and the mayor is directly responsible to the people. Yet the only municipal difference between these two cities is that Cincinnati once had the larger population. Cleveland has been the larger for some time, having outstripped Cincinnati in population, but the difference in forms of government was perpetuated.

"When Cleveland elected Tom L. Johnson as mayor, and Johnson began to work for the people instead of the monopoly corporations, the local Republican machine bethought itself that a state board government like that of Cincinnati was what Cleveland needed. So Mr. Hanna's attorney general saw his way clear to bringing an ouster suit. The plan was to "knock out" the Johnson administration by knocking out the federal plan, and then to put Cleveland under the control of Boss Hanna as Cincinnati was already under that of Boss Cox * * *

"The object of the Toledo bill was to sidetrack Mayor Jones, and the voters who had elected him by a vast majority, by establishing a Toledo boss, to correspond with Boss Hanna of Cleveland and Boss Cox of Cincinnati. But the non-resistant Jones, saying he would ne'er resist, resisted. He sturdily refused to surrender to the state board, and that expectant body brought suit to compel him to. This suit came before the supreme court along with the Cleveland suit, and in disposing of the two the court took up the whole subject of special legislation for municipalities, rendering decisions upon principles which cut the roots of all the municipal legislation of the state for half a century. * * *

"Mr. Hanna's fool friends in Cleveland and Toledo had jumped for the Cleveland and Toledo preserve jars and pulled down with a crash all the preserve jars on the pantry shelf.

"Mr. Hanna's party in Ohio is consequently in great tribulation. Gov. Nash must call a special session of the legislature, in the midst of the state campaign, to enact a general municipal code. There is no escape from it. * * *

"Nor is even that the worst. A code might be whipped through the legislature which would suit Boss Hanna of Cleveland and Boss Cox of Cincinnati—a code, that is, which would put all the cities of the state under the rule of state boards appointed by the Republican governor, and which would also protect the monopoly corporations from equitable taxation and other impertinent meddlings. The governor has gone so far in this direction as to engage two of the most notorious corporation lawyers of the state, one of them Mr. Hanna's personal legal adviser, to outline a code. That their work will be as nearly ideal as possible, from the point of view of corporation and boss government, goes without saying. But then comes the rub. If such a municipal code were passed by a Republican legislature, the party could hardly weather the political gale that would set in in Ohio. * * * The situation is both picturesque and encouraging."

LOCAL SELF-GOVERNMENT IN ILLINOIS.

BY CLAYTON E. CRAFTS.

The experience of Illinois cities, particularly Chicago, in matters of home rule is not only interesting, but illuminating, for the relation of city and state is in many ways peculiar, and certain methods have been adopted which have prevented the constant and far-reaching interference in local matters by the state legislature which characterizes the development of so many states and cities. A bit of history furnishes an excellent background for a description of present conditions, and will show how valuable is the experience of the last half century.

Local Autonomy Large at First.

Chicago has had a city charter for less than 70 years, the first having been granted in 1837. At that time the city was looked upon as an overgrown town rather than an incorporated body of a peculiar and unusual character. The powers of the city government were, therefore, very large for such a small city, having a population of only 4,170, and self-government was the principal characteristic. Chicago differed in this respect very greatly from the chartered cities of the Eastern states, which always have been restricted more or less owing to the fact that they have frequently been considered mere pawns in the game of politics and subject to higher authorities in every direction and to whatever extent they desired to interfere in matters of interest only to the cities themselves.

Period of Special Legislation.

This marked difference in the conception of the sphere of municipal action accounts largely for the fact that, in the early years of Chicago's history, the city was comparatively free from state interference. About the middle of the century, when Chicago's wealth and population had increased so rapidly as to make the city a factor in state politics, the

legislature began to enact a considerable number of laws applying only to Chicago and relating to matters of mere local interest. The city was not deprived of home rule to the extent to which some other cities have been, but the special legislation was nevertheless mischievous and harmful. It consisted principally in changing the names, method of selection and duties of city officials. For example, a board of water commissioners was established in 1851 whose members were to be elected by the city at large. A few years later an act was passed providing that they be elected by districts; and a few years later still the mayor was given the power of appointment. The natural result of such procedure was that the legislature came to be looked upon as the governing authority of the city rather than the city council.

There were a few instances in which the state legislature attempted to go still further and to take from the city the power of selecting its own officials. The principal instance is the juggling with the police force between 1860 and 1870. Prior to 1861, the police force was under the direct control of the city authorities, but in that year an act was passed establishing a board of police and authorizing the governor to name the first commissioners. The object of this move was to give to the Republican party, which was the dominant party in state politics, control over the police force of Chicago—a Democratic city. Two years later the Democrats gained control of both city and state governments, and being anxious to increase their power, they naturally passed a state law, making the mayor a member of the board of police and reducing the terms of the commissioners from six to three years. By this means they expected immediately to obtain complete control of this important factor in city politics. In 1865 the Republican party was again dominant in city and state, and an act was passed forthwith changing the term of the police commissioners back to six years and providing that they be elected by the voters of Cook county which was less liable to become Democratic than the city of Chicago. The city and county were not coterminous, and thus a portion of the voters had no legitimate interest whatever in the election. By similar methods the Republicans gained control of two other city departments—fire and health—and hoped to retain their grasp upon the city government despite the increasing strength of the Democratic party.

Although Chicago objected to being made the football in the game of politics, it made little difference to the legislature. The constitu-

tional convention of 1862 provided that the voters of Chicago should vote as to whether or not the city should elect its own officers, and that, if a majority were in favor of local selection, it should be unlawful for them to be chosen in any other way than by the people or appointed by the mayor or aldermen. The vote was almost unanimous in favor of self-government, only 93 votes being cast in the whole city in favor of state appointment. Nevertheless special legislation went on in other lines, although this election practically settled the question, whether city officials should be selected by the locality itself or by some higher and more remote authority.

Self-Government Restored.

When the constitutional convention of 1870 met, its attention was called to the evils that had arisen because the legislature had assumed the power of passing special laws regarding local matters. It is true that state interference had been carried not nearly so far as in other commonwealths, but by the cities of Illinois the evil was considered very great and so important as to demand a remedy. In response to constant and urgent appeals, a section was inserted in the new constitution forbidding the further enactment of special city charters, and at the following session of the legislature, 1871-2, a general law was passed providing for the incorporation of all cities. Its adoption was not compulsory, every city having a charter at that time could retain it, but all new cities were obliged to administer their affairs in accordance with the new law, and any other city might substitute the general act for its existing charter at any time. This is important, for it shows how differently even at that time the question of home rule was viewed by the law-makers of Illinois and by those of other states.

The act of 1872 was amended in a few particulars within the next few years. At an election in 1875 the general act of 1872 was adopted and is to-day the basis of the city government of Chicago. From time to time certain acts have been passed increasing the power of the city authorities and providing for matters which were not mentioned in the general act of 1872, but the act itself has not been tinkered with to any great extent.

Why State Interference is at a Minimum.

The two principal features of the Chicago charter are that it is a general act, applicable to all cities, and that it is comparatively brief, containing few details, the vast majority of such matters being left to

the city council or other local authorities to determine for themselves. These two factors are very important and explain why Chicago has been so free, comparatively, from special legislation since 1875. I do not mean to say that there has since been no special legislation, or that the state legislature has never interfered in local matters; but as compared with other states, there has been very little special legislation and very little interference in local matters. And this is due, I repeat, largely to the fact that the charter of Chicago deals merely with the more important features of the city government and uses general terms, leaving details to be worked out by the city itself and permitting it to exercise large powers regarding many important matters. It is impossible with a voluminous charter, such as the city of New York has, for example, to escape special legislation. It is impossible to provide in such detail for every matter that may arise. Experience constantly necessitates a change of details, and if these are specified in the charter the only escape is an appeal to the legislature which enacted them and without whose permission no alteration can be made.

As a result of this general grant of power, of its constant exercise by local authorities and of the recognition that improvement in conditions can be secured by appeal to the city authorities which are near at hand, a large amount of local pride, spirit and independence has developed. There is a general feeling that if reforms are needed, they can most easily be secured by appealing to local officials and that constant recourse to the state legislature, which for political sagacity and honesty of purpose is perhaps not superior to the city council, would not only be productive temporarily of a less desirable result, but would also tempt the state authorities to interfere along other lines where their interference is not only not needed, but would be positively harmful.

Public Disapproval of Franchise Legislation.

There have been a few instances, mostly of minor importance, where the state legislature has tried to establish its right to interfere in local matters. The most notable attempt was made in 1897. A bill was introduced into the state legislature arbitrarily fixing street railway fares at five cents for a period of 20 years, and extending for 50 years the franchise rights granted by city ordinances, thus giving the companies many valuable privileges but requiring in return very little from the companies either in the way of compensation or public control. The corporations at first seemed to have the necessary support to enact

the measure, but popular feeling ran so high that it influenced many members, and after a bitter fight the bill was voted down by a large majority.

The street railway companies then tried a new measure which contained some of the most objectionable features of the former bill, but which was finally passed and became a law in the summer of 1897. In November, 1898, elections were held for seats in the legislature, and the whole state was so worked up by the prostitution of public interests for the aggrandizement of a few corporations that most of the candidates were pledged to repeal the act. Very few who had supported the obnoxious measure were renominated, still fewer were elected, and those only upon the distinct pledge to repeal the law which had interfered so directly and viciously with local self-government. At the very first session of the legislature following this election, the objectionable measure was repealed by a practically unanimous vote.

Even to this day a candidate for office who voted for the law of 1897 is denounced before the public and is greatly handicapped in his race for political preferment. The lesson has been well learned and the widespread discussion upon franchise matters has been productive of such healthy public sentiment that there is little danger from the enactment of similar laws in the near future.

Lack of Power the Chief Difficulty.

The difficulty in Chicago is not so much state interference in local matters as state indifference to the needs of Chicago—opposition encountered in securing from the legislature sufficient power to efficiently perform the many duties which are pressing upon the city.

As noted above, the present charter was enacted in 1872. It has been amended in many respects since, but it has never been reconstructed throughout. The general laws regarding taxation, indebtedness and franchises are also antiquated, and consequently somewhat unsuited to present conditions. They were passed when the state was comparatively young, when Chicago was much smaller than it is at present and when municipal problems generally were much simpler and more easily solved. Within the last decade even, Chicago has grown enormously in wealth and population. Slum areas have developed. Population has congested. Unsanitary tenement houses have appeared. Large numbers of foreigners have flocked to the city. The demand for larger and better educational facilities have greatly

increased. Play grounds are needed. The streets must be paved better. Sewage can no longer be dumped into the lake, which is the source of water supply. And in many other directions the needs of the present metropolis have greatly increased, necessitating the exercise of larger powers by the city and the expenditure of larger sums of money.

Naturally, therefore, the city finds itself hampered by the restrictions which may have been well suited to its earlier career, but are now poorly adapted to its needs. For instance, the city debt of Chicago is limited to five per cent. of the taxable valuation of property; but the taxable value is one-fifth of the real value as given upon the books of the assessors, which value itself is much lower than the actual market value of the property. Thus, the city of Chicago can not become indebted even to one per cent. of the actual value of the property within the city limits. In other states this limit is from five per cent. to ten per cent. of the actual value. It is true the law has been evaded somewhat by the creation of local authorities independent of the city government proper, but Chicago is constantly prevented from administering affairs in an efficient way because it is tied down by unwise restrictions upon its financial operations. Appeals have frequently been made to the state legislature, but it has turned a deaf ear or offered a palliative instead of an adequate remedy.

Other instances might be cited. The street railway franchises are about to expire, but the city does not have adequate power to deal with the problem and the state legislature seems indifferent. There is a multiplicity of local authorities; considerable saving would be made and efficiency increased if some scheme of unification could be adopted, but the legislation seems more concerned with matters involving patronage than in granting relief to the city of Chicago. One might expect a Republican legislature would be indifferent to the needs of a Democratic city, but the distrust and dislike of the country members, who control the legislature, for Chicago leads them to oppose or disregard the requests of the city even when there is no party interest involved.

Remedies.

The legislation necessary to establish complete local self-government can be enacted only after the adoption of a constitutional amendment or of a new constitution submitted by a constitutional convention. It should provide that any power petitioned for may be added to the



SELF-GOVERNMENT IN ILLINOIS.

charter by a majority vote of the local voters of the city voting thereon.

The reasons why I favor a constitutional amendment, in preference to a constitutional convention, for the purpose of procuring a new charter for Chicago, are briefly these:

First—An amendment could be submitted and approved at the election of 1904, whereas the new constitution submitted by a constitutional convention could scarcely be approved before 1906.

Second—The expense of a constitutional convention would be large, whereas the expense of adopting a constitutional amendment would be practically nothing.

Third—A constitutional convention would probably result in a great many changes in the present constitution, which might prevent its adoption at all, or, if adopted, would result in a large amount of litigation to construe the meaning and application thereof, as evidenced by the fact that about 140 volumes of supreme court reports have been issued since the constitution of 1870 was drafted.

Fourth—I believe that, if such a convention is held, the new constitution which it will propose for adoption will contain a provision limiting the representation of the city of Chicago in the general assembly (for the convention would be controlled by country members), as is provided in the case of New York, Philadelphia, St. Louis, and some other large cities of the country, which is most unjust.

The amendment should read somewhat as follows:

Art. X., Section 7. The general assembly shall provide by law for the creation of the city and county of Chicago, comprising the territory now included within the limits of the city, the sanitary district, the town of Norwood Park, and such other territory as shall hereafter be added thereto, abolishing towns, park districts and the sanitary district therein;* for the union of county, town, school, park and sanitary districts into and under one municipal government; for the management thereof by officers to be elected by the legal voters resident in said territory, and by officers or employees to be appointed by any such elected officers, and for the assessment of property for taxation, the creation

* The remaining territory now within the county of Cook should be created a new county, and an equitable division and adjustment of the funds, property and indebtedness of the county of Cook between said new county and said city and county of Chicago shall be provided by law.

of indebtedness, the levy and collection of taxes, with reasonable limitations which may be increased by a majority vote of the legal voters of said city voting thereon. Said municipal government and its officers shall be vested with such powers as shall be provided by law, and other powers may be added thereto by a majority vote of the legal voters of said city voting thereon, when submitted pursuant to law.

P
stand
metr
ers,
gove
great
elect
quest
of po
comm
V
electi
had
crisis
a mo
was r
matic
Ober
vacan

T
than
Brinc
proce
the n
King
this r
when

KAISER VS. THE BERLIN COUNCIL.

BY WILLARD E. HOTCHKISS.

Prussian cities are commonly considered to represent the highest standard of municipal administration. Berlin, as the capital and metropolis of the Empire and the city most widely known to foreigners, is often spoken of as the best governed city in the world. Its government has undoubtedly been administered in the main with very great efficiency, but the friction which has recently existed between the elected municipal representatives and the royal government raises the question whether the effective co-operation between these two sources of power is sufficient to produce as high a degree of perfection as has commonly been supposed.

When in December, 1899, the King granted his confirmation to the election of Oberbürgermeister Kirschner, it was thought by many who had followed the course of municipal affairs in Berlin that a serious crisis in the relations of municipal authorities to the crown had reached a most fortunate outcome, and that in the future a similar complication was not likely to occur. It will be remembered that the King's confirmation was not received until nearly fifteen months after the previous Oberbürgermeister had retired, and during all this time the office was vacant and no reason was assigned for the King's failure to act.

Conflict Over the Mayoralty.

The complications of the past year have been even more serious than those of 1898-9. After the death of second Bürgermeister Brinckman, the municipal assembly (*Stadtverordneten Versammlung*) proceeded to elect Stadtrath Gustav Kauffmann as his successor. On the ninth of July, 1901, apparently to the surprise of every one, the King refused to confirm the election. Popular rumor has connected this refusal with Kauffmann's personal history. Twenty years ago, when he was a young officer, his action as president of the Waldeck

Verein, in opposing the Anti-Semitic movement was distasteful to the military authorities of that time and he was brought before a military court of honor for trial. As a result of this trial, he lost his position but not his rank and is still a lieutenant on the retired list (*Leutnant ausser Dienst*). Since that time he has filled several government offices, and is generally recognized as a man of high character and loyal citizenship. It seems hardly conceivable that in this record there could be found anything which would make him unsuitable for the office of Second Bürgermeister.

A report which has been spread abroad that Kauffmann was deprived of his rank as well as his office suggested the possibility that the King may have been misinformed through the error of the military authorities, and that their unofficial counsel outweighed that of the responsible ministers who are said to have favored the confirmation. It seems hardly probable that the King acted without sufficient information, especially since at the time of Kauffmann's election to the office of Stadtrath, everything which could have been presented against him was doubtless considered, and at that time he was promptly confirmed.

Another explanation which was offered for the failure of the election to receive the confirmation of the crown was found in the small majority by which Kauffmann had been elected. To be sure, he had received a majority of eight, whereas the majority of his predecessor, Brinckman, was only two, but it was thought possible that the King wished to see a more decisive demonstration of the will of the municipal assembly. This very shrewd suggestion was followed by a proposition that Kauffmann be re-elected. The advisability of this action was briefly discussed with the result that in the second election Kauffmann received every one of the one hundred and nine votes cast.

This was felt to be an important step, since it would give an opportunity to again present the facts of Kauffmann's career to the King and to rectify all possible erroneous conceptions concerning it. It was hoped that the ministry would be able to strengthen their arguments and thus bring about the desired confirmation. There was a feeling among the members of the municipal assembly that the question of the extent to which state or military considerations are decisive in matters concerning the Berlin city government was directly at issue.

By the City Government Act of 1853 (*Städteordnung*), all proceedings of the municipal assembly of Berlin have to pass through

several hands before they can be presented to the King for his confirmation. They are first sent to the Magistrat, who forward them to the Oberpräsident, who in turn sends them on to the minister of interior, by whom they are finally laid before the King. In this case the Magistrat on the twenty-third of September, 1901, accompanied the announcement of the result of the election with a resolution that everything possible should be done to secure the King's approval. On the sixth of October the Oberpräsident replied that he could do nothing about the matter since the re-election to the office of Bürgermeister of a man whose election had already been disapproved by the crown, was equivalent to a refusal to elect. It was now a question whether the Oberpräsident should fill the office by appointment as he had a right to do in case of such a vacancy. If the Magistrat considered that the business situation demanded such an appointment, he requested them to send to him the names of city officials whom they considered suitable for the position. Had this action been carried out, it would naturally have shifted the conflict to one between the municipal assembly and the Magistrat, but the latter body was apparently in full accord with the action of the municipal assembly and replied that such an appointment did not seem to be demanded.

A large majority of the members of the municipal assembly were greatly aroused at the action of the Oberpräsident, regarding it as a decided infringement upon their rights. It was pointed out that a ministerial order of the twelfth of March, 1860, states distinctly that the approval or disapproval of a Bürgermeister-elect must in all cases be sought from the crown, whether the person elected is believed to be approved by the royal government or not. They cited the case of Representative (*Stadtverordneter*) von Hennig, who in 1866 was elected Stadtrath, and whose election was at first disapproved; he was again elected and on the ninth of February, 1867, was confirmed. In this case it does not seem to have occurred to any one that the second election was in any way a violation of the city government act or that it was equivalent to a refusal to elect.

The municipal assembly finally referred the matter to a committee which submitted practically the following report: "Neither in the City Government Act of 1853, nor in any other law, is there any provision made for the case of the re-election of an officer once disapproved, except the provision of section 33 in that law, which reserves the right of

confirming Bürgermeister and Stadträthe in cities of more than 10,000 population exclusively for the crown. From the communication of the Oberpräsident, dated October 6th, 1901, it is clear that there has been no royal decision upon the second election of Kauffmann to the office of Second Bürgermeister. The assembly is therefore bound to its action in this election, and declines to undertake a new election before the entry of the King's decision upon the one already held. The municipal assembly furthermore requests the Magistrat to bring complaint before the minister of the interior regarding the answer which the Oberpräsident communicated on the sixth of October, 1901."

These resolutions were adopted by the municipal assembly and forwarded to the Magistrat. When that body transmitted the resolutions to the minister of interior, it attached a resolution of its own, endorsing the interpretation placed upon the city government act by the municipal assembly. It emphasized the fact that a re-election, since it occurs under changed circumstances, is to all intents and purposes a new election, and that the history of the law, especially the decree of the twelfth of March, 1860, indicates that the re-election of the same person any number of times would constitute no violation of the act, and would have to be acted upon by the crown each separate time. On the twenty-first of November, the minister of interior replied that his interpretation of the law agreed with that of the Oberpräsident. This reply suggests what might perhaps have been inferred at the outset, that the King did not propose to permit a derogation from the authority of his decision by recognizing any right which the municipal assembly might claim to have the matter reconsidered, but that the action of the Oberpräsident expressed a reiteration of royal disapproval as emphatically as though it had come from the King direct.

Friedrichshain Episode.

Another conflict between the government and the municipal assembly is in connection with the proposed erection of fairy fountains at the entrance of the Friedrichshain Park. The complication as brought out in debates of the municipal assembly on the third of October, 1901, and corroborated by the unofficial statement of Oberbürgermeister Kirschner, who was present at the meeting, was essentially as follows: In 1893 the art commission (*Kunstdeputation*) reported in favor of placing such ornaments at the entrance of the park as to give the grounds an artistic finish. Stadtbaurath Hoffman conceived the idea

of embodying in the decorations several of the best known German fairy tales, thus appealing to the numerous children who seek their recreation in the vicinity of the park. The plan was enthusiastically welcomed by the art commission and at once adopted. During the past eight years leading artists have been at work preparing the designs. Before the plan could be executed it became necessary to obtain the sanction of the president of the building police (*Baupolizeipräsident*), who is a royal official.

In response to their request for permission to proceed with the construction of the work, the Magistrat on the twenty-fourth of September, 1901, received a communication from this official which stated that neither the idea nor its artistic execution met with royal approval. Accompanying the communication was a series of æsthetic recommendations in accordance with which it was suggested that the artists who had had the matter in charge should make a revision of the plans. Upon receiving this reply the art commission passed a resolution recommending to the Magistrat that the president of the building police be requested to express himself definitely whether or not the plans were to receive his sanction. The announcement that the King was pleased neither with the idea nor with its execution, gave no assurance that the plans would be accepted even should his suggestions be incorporated in them.

It seems that previous to this communication from the president of the building police a ministerial rescript to the Magistrat had announced that in order to obtain permission of the King to erect any artistic structures on the streets or squares in the future, drawings and plans must be submitted to him for approval. The building commission (*Baudeputation*) of the city government brought the matter up for consideration and decided that royal sanction was not requisite for the execution of such works as were not located in the public streets or squares, and recommended to the Magistrat that the request for the submission of plans be denied. This particular work at the entrance of the Friedrichshain was not to be a monument, nor was it to be located in a public street or square, but in a park created and kept up with funds raised by the city. It is not perhaps unnatural that the municipal assembly should resist what it considers unwarranted royal interference in the execution of its plans. While the matter is under dispute, an important public undertaking for which elaborate prepara-

tions have been made and upon which a large sum of money has been expended is at a standstill, and there seems to be no machinery by which such a deadlock can be avoided.

Street Railway Dispute.

A lack of co-operation between the municipality and the government, perhaps even more conspicuous, was seen in connection with the proposition to run a tramway across Unter den Linden. The line proposed is a continuation of the Neustädtische Kirchstrasse. It is to connect the north and south ends of the city and to form the basis of the whole street railway system. In 1892 the minister of interior gave assurance that the project was favored by the crown. The King had expressed himself as opposed to a line at Charlottenstrasse, at the same time saying he would prefer the Neustädtische Kirchstrasse line.

Confident of securing royal approval for the project, the municipal assembly, at a cost of 10,000,000 marks, purchased the private tramway system already in operation. First in June, and again in September, 1901, it was sought to secure the King's approval of the plan, but at both times it was refused. The municipality was loath to accept the plan for an underground crossing which was proposed by the King, since its execution is accompanied not only with an additional expense of several million marks, but with serious engineering difficulty as well. In spite of the fact that the municipality, in perfect good faith that they were acting in accord with the wishes of the crown, had expended an enormous sum of money, the King remained firm, and on the twenty-first of November the municipal assembly were obliged to accept the plan which he proposed.

Although our sympathies are likely to be with the King in his determination not to allow the beauty of Berlin's historic thoroughfare to be marred by the more or less unsightly tramway, still the situation which makes possible such a complete misunderstanding regarding a public undertaking of so great importance, is not likely to be conducive to efficient administration. Without necessarily implying that it was the purpose of the King to mislead them in reference to his real attitude toward the street railway project, the municipal assembly feels, nevertheless, that it has been subjected to indignities at the hands of the royal government. The fact that it cannot deal directly with the power that approves or disapproves of its actions, leaves the assembly practically unable to defend itself. Being obliged to urge its propo-

sitions only third or fourth handed, it is often impossible to ascertain either how they are presented, or why they are disapproved. This roundabout procedure is also the cause of exasperating delay, since in all cases the municipal assembly is obliged to await not only the pleasure of the King in making his decisions, but likewise the pleasure of each intermediate functionary in taking the steps necessary to obtain the decision. The fact that the assembly was misinformed in the case of the tramway project has tended to destroy whatever confidence its members may have had in the assurances given by the officers of the royal government, and has helped to exaggerate in the assembly a pretty general feeling of distrust.

What the final outcome of these misunderstandings will be it is impossible to predict. With reference to the tramway, there was no denial that the action of the King was perfectly legal. The imputation against the legality of his request in relation to the plans for the ornamentation of the Friedrichshain seems to have little weight when it is considered that the president of the building police with whom rests the legal power to decide upon such projects is a royal appointee, and can therefore be presumed to make his decisions in harmony with royal desires. The attempt to force the action of the Oberpräsident in the case of the election of Kauffman, as Dr. Theodor Barth points out in *Die Nation* of October 12, 1901, must in the long run be futile since it is absurd to suppose that in such an important matter the Oberpräsident would act without the support of the very highest authority. The only advantage which could possibly result from such a course would be of a temporary strategic importance, and is more than likely to provoke a conflict in which, in the long run, the assembly is almost sure to lose.

The cities of Berlin and Potsdam are already under closer royal supervision than are most of the cities of the Empire, and the present complication suggests the possibility that they may be taken entirely under royal control. There are many reasons why, from the point of view of the government, such an arrangement would be highly desirable. As the imperial residence city, it would seem very appropriate that Berlin should be administered in complete harmony with the plans of the government. The municipal assembly, controlled as it is largely by Liberals and Social Democrats, cannot fail to be a source of more or less constant annoyance. So long as the assembly keeps strictly within

the limits of its legally prescribed powers, such a change would be hardly possible, but it is not altogether improbable that as a result of the present complications, or of similar conflicts in the future, it may be provoked to such action as will make the step both legally possible and politically feasible.

ch
lik
Ma
par
of
on
ind
con
tha
bec

bef
rea
of t
of
oth
ave
the
in t
in t
whi
\$1.4
cent
of a
less,
he v
the
once
shar

"bo
of th

which

THE FRANCHISE SITUATION IN CLEVELAND.*

BY EDWARD W. BEMIS.

During the past year Cleveland has contributed some interesting and valuable chapters upon the franchise question, and even more important contributions are likely to appear in the near future.

The franchise question had already reached a critical stage at the time of Mayor Johnson's election in April, 1901. In fact the size of his majority was in part due to that question. The gas company had just secured a ten-year extension of its privileges under very suspicious circumstances, and the street railways had only been prevented from a still longer extension by reason of intense public indignation. In the course of two subsequent elections for the city council, which consists of one branch of twenty-two members, all but two of the "solid thirteen" that favored the worst of the franchise and other legislation of that time have been retired to private life.

ATTEMPT TO ASSESS FRANCHISES.

The first effort of Mayor Johnson along franchise lines was to bring evidence before the local assessment board to show that the entire assessment upon the real estate and personal property of the street railway and lighting companies of the city was only about 10 per cent. of the market value of their securities, or of the capitalization of their acknowledged net earnings at $5\frac{1}{2}$ per cent., while other property in the city outside of the steam railroads was assessed on the average at 40 per cent. to 60 per cent. of its true value. Yet a large portion of the latter was fiercely competitive, and was not possessed of special privileges in the streets. The hearings before this local board were sometimes sensational in the extreme. This was particularly the case when one of the gas companies, which had been assessed on real estate and personal property at less than \$1,400,000, was shown to have averaged dividends of 8 per cent. cash and 5 per cent. in stock worth much over 200, and when it was further shown that this stock of a par value of \$3,800,000 had all been accumulated, save the first \$100,000 or less, out of earnings. The mayor insisted that the stock was worth fully 250, and he would pay that much for it. One official of the company thereupon asked if the mayor would agree in writing to buy 1,000 shares at that figure, and he at once agreed to sign such a contract for all that they would deliver up to 1,000 shares within three days; but not a share was produced!

Subsequently a state board of appraisers and assessors, recently dubbed the "board of oppressors and assessors," sitting as a board of revision and consisting of the governor, attorney general and state auditor, remitted all this additional

*A great part of this article was read before the Boston meeting of the National Municipal League, to which we are indebted for permission to reprint it here, supplemented by the latest developments.—[Editor]

assessment of about \$20,000,000, which was put upon the Cleveland monopolies by the local board, and thereby the city was deprived of over \$450,000 of taxes upon which it relied for needed public improvements this year.

The action of the state board is being contested in the courts, and the state legislature, as already mentioned, has guarded against any repetition of the increase of assessment of the street railways, or at least it thinks it has done so, by the creation of a state board appointed by this board of revision and serving for five years, one member going out of office, however, every year. The action is very generally denounced, and it is likely to bring a repeal of the law by the next legislature.

THREE-CENT FARES.

Following close upon this experiment still only just begun of raising as much of the public revenue as possible by taxing monopoly and privilege instead of private property in competitive business, came the grant of a street railway franchise under most novel conditions.

For the first time in the history of the country a street railway franchise has been granted for a straight 3-cent cash fare without tickets. It is for an extensive system, which is expected to embrace seventy miles of streets in Cleveland and its suburbs during the next four years, and as fast as consents from property-owners can be obtained on the various streets. Already on several streets the requirement of the state law that calls for the consent of the owners of one-half of the abutting property on each street, so as to permit the immediate construction of several miles of double track, has been met. A cash deposit of \$50,000 is in the hands of the city to guarantee the good faith of the company, a few car-loads of rails already arrived, and men were beginning the work of laying the same in April, when a temporary injunction threw the matter into the courts. The franchise provides for full control by the city of the character of the service and for the right of the city to purchase the road at any time during the twenty years life of the franchise on paying the structural value of the plant plus 10 per cent. It is also provided that after ten years one-half of the net profits above 8 per cent. on the structural value shall go to the municipality. The provision on that point is carefully drawn:

"Whenever, after ten years from the date hereof, the net earnings of said company shall exceed 8 per centum per annum on the actual bona fide value of said road, equipment, extensions, etc., irrespective of the capitalization thereof, the owner shall pay one-half of said net earnings in excess of 8 per cent., whether said earnings are applied to interest payments, dividends, surplus, extensions or betterments, into the city treasury, and for the purpose of ascertaining said value the same procedure shall obtain as provided in section 17 hereof for purchase."

In order to reach important centers, advantage is taken of an Ohio law which allows a road to use the tracks and wires of an existing road to the extent of one-eighth of the mileage of the new company, on payment to the old company of the cost of using its power and track, independent of any franchise. The new ordinance further provides that the new 3-cent fare road, known as the People's Street Railway, may build so-called straddle tracks on certain streets, i. e., it may lay its tracks a few inches from the rails of the old company, using the modern grooved girder rails, that do not interfere with the wheels of vehicles and bicycles. Advantage was also taken of the fact that in years past the city, in granting franchises, had wisely reserved the right to permit any new company to share the use

of the
one r
grante
some
N
and p
exper
exper
our la
traffic
furthe
is not
road a

Th
this c
making
itself
draught
of fare

Th
genus
pany w
L. Joh
success
Pennsy

Th
voters
in the
away t

Th
get the
them a
the Pe
necessa
ever, th
went un
introduc
long str
number
accomp

Th
chise of
1. T
only gr
some p
2. T
short d

of the tracks on certain streets without any reference to the above provision of one mile in eight. To the People's Railway, as it is called, has already been granted the use of five and one-half miles of such so-called "free territory," and some of its own original grant is made free territory.

Nearly all street railway men claim that it is impossible to earn any profit and proper depreciation charges with 3-cent fares, but the inside facts of Detroit's experience, when Mayor Johnson was president of the road in 1899-1900, and the experience in reducing fares in Toronto and some other places, indicate that in our larger cities 3-cent fares are likely to so increase profitable short-distance traffic as to return a good profit on the actual investment of the plant, where a further investment in city councils and in the manufacturing of public opinions is not also necessary. The existing Cleveland railways are fighting the 3-cent fare road as if they feared that after all it will be a financial success.

NEW METHOD OF GRANTING FRANCHISES.

The franchise was granted differently from any other known to the writer in this country. Instead of a company coming forward and seeking a franchise, making out its route and seeking to impose its own terms upon the city, the city itself took the initiative, before any company had appeared, selected the route, draughted the ordinance, and called for bids, the company giving the lowest rate of fare to be given the preference.

There was, however, but one bid, and no terms were offered more advantageous than those incorporated in the ordinance above described. The new company was organized by Mr. John B. Hoefgen, formerly connected with Mr. Tom L. Johnson's street railway enterprises in Brooklyn and elsewhere, and later a successful financier and manager of railroad enterprises on his own account in Pennsylvania and other parts of the country.

There was much opposition in the council, but the general demand of the voters for 3-cent fares and municipal ownership and the influence of the Mayor in the same direction were so great that the opposition at critical periods dwindled away to a small minority.

The two old companies, by financial inducements and in other ways, tried to get the owners of abutting property to withhold their consents, or to withdraw them after they were given. These efforts culminated in the temporary defeat of the People's Company, which could not secure, or at least could not retain, the necessary number of consents on two important streets. It so happened, however, that these streets were in reality only portions of one long street, which went under four different names in four different sections. The mayor, therefore, introduced an ordinance consolidating the four streets into one, for on the one long street it was believed impossible for the old companies to buy off a sufficient number of property-owners. After a sensational fight this union of streets was accomplished.

COURTS DECLARE GRANT ILLEGAL.

The Eighth District Circuit Court of Ohio, early in June, declared the franchise of the three-cent fare railway unconstitutional, on the following grounds:

1. That while the city had called for bids for about seventy miles of road, it only granted a franchise for thirteen of those miles, although it had entered into some preliminary arrangements for a further grant.

2. That a change from one important street to another had been made, for a short distance, because consents could not readily be secured on the first street.

3. The franchise had provided for the arbitration of labor disputes and for the purchase of the road by the city at its arbitrated construction value, plus 10 per cent.

It was held that all of these conditions might have, and possibly did have, a deterrent effect upon those who might otherwise have bid, and might have prevented the receipt of as low a bid as could otherwise have been secured, although no evidence on this point was presented to the court. The state law requires the granting of the franchise to the lowest bidder. Thus the absurd inconsistency appears of the street railway companies opposing the three-cent fare road because the bid was too low, *i. e.*, that no road could live on three-cent charge, while the court declares the franchise unconstitutional because it might conceivably have stood in the way of a still lower bid! New ordinances, however, have been introduced in the city council providing for new bids in a way to obviate the objections of the court, and the former company is sure to renew its offer of three-cent fares.

The supreme court of the state handed down a decision during the last week in June which declares unconstitutional the entire charter of Cleveland, and indirectly nearly every municipal charter in the state, on the ground that these charters were obtained by special legislation, although the courts had hitherto sustained such charters for many years. Now that vested interests are being hurt by the use that is being made of the Cleveland charter, the unconstitutionality of the same is suddenly realized. The governor of the state has announced his intention of calling a special session of the legislature for arranging a new municipal code, and incidentally has called, for the preparation of a bill for that purpose.

OTHER LINES PLANNED.

On May 2d a resolution was introduced by the mayor at the meeting of the board of control, and was unanimously adopted. It takes the first steps for advertising for bidders offering the lowest rates of fare on seven miles of the most valuable routes of the two old companies whose franchises expire, according to the city's claims, in 1904 and 1905. The reason given in the resolution for thus taking up the matter two and a half years before the expiration of the franchise grants, was that it would necessarily take much time in granting the franchise, "safeguarding the property rights of the present owners, and providing for the acquisition of the present property in case the owners are not the successful bidders," and also that "there should be secured from the patrons of these lines immediately on the expiration of the present grants, the lowest fare obtainable by competitive biddings." The mayor further publicly declared, as an additional reason for present action:

"The legislature has not adjourned yet, and I want to serve due notice on the old companies of how we shall proceed. This will give them a chance to go to the legislature and pass some more rippers. They may be able to get a bill through the legislature to take the franchise-giving right away from the city council and give it to the governor, board of remission, or some board of this nature. The people are not to be trusted in such matters, you know, and our Republican legislature may decide that the right to give away the people's rights should be placed in the hands of good, true, honest men who can be trusted."

PROSPECTS FOR THE FUTURE.

It is coming more and more to be recognized in Cleveland that the street railway agitation will grow hotter and hotter, until not only three-cent fares are secured on all the roads, but until the city has the right from the legislature and

from contracts with the companies, to purchase the property of the latter at a moderate advance over its structural value. This agitation will be studied with great interest in the light of the recent vote in Chicago, of over 5 to 1, in favor of public ownership of all the city monopolies, and in the light of the probability that as soon as the people can secure the opportunity to express themselves in effective legislation on the subject in all our large cities, reductions in charge under private management and preparations for public ownership and operation in the near future will become the order of the day.

A further significant fact in the franchise situation in Cleveland is the rapidly growing interest in civil service reform as a means of entering upon municipal management. A new force is rallying about the purification of city government in order thereby to render possible the public assumption of these public necessities.

Reference may also be made to the fact that the city council has asked the legislature to grant the city the right which it does not now possess of owning and operating various municipal monopolies, and in so doing has asked that a stringent civil service reform act be provided for such undertakings.

As evidence of the greater ease of reforming the spoils system under public than under private ownership, which has always been the contention of the writer, reference may be made in closing to the fact that, while the powerful financial interests of the city and most of the daily papers have either opposed or been silent upon both the increase of taxation and the reduction of charges of the street railway and lighting companies, there has been almost universal endorsement by these same influential elements of society of the efforts to put the water department upon a non-partisan business basis.

CONCLUSIONS FROM EXPERIENCE.

Among the general conclusions that may be drawn from recent history in Cleveland may be mentioned the following:

1. To secure rapid advance there is needed an alert, aroused public opinion, and the readiness of some powerful personality to take the lead. There is call for as much energy, strength of purpose and ability to see things in a large way as is demanded at the head of a great railway system.

2. Much can be accomplished under existing laws, but in the long run the ever active forces of monopoly will so change the laws and control their interpretation as to compel municipal reformers to enter state politics in the interests of home rule.

3. Progress along these lines is likely to be more rapid in Ohio and further west than in the east, where the ownership of so-called vested interests is most centered and at the same time diffused among the people, and hence is most able, even without direct corruption, to delay the solution of monopoly questions.

PROVISIONS OF THE FRANCHISE.

The provision of the new Cleveland franchise on some of the points above mentioned and with respect to limitation of the hours of labor to ten within the limits of fourteen within any twenty-four hours, and with respect to the compulsory arbitration of labor disputes, are herewith given:

"Sec. 4. The rate of fare shall be 3 cents for each passenger, and tickets at the rate of 3 cents each, including the sale of five tickets for 15 cents, shall be kept on sale on all cars at all times, and shall entitle the passenger to one continuous ride in the same general direction, and each passenger shall be entitled to one transfer ticket for passage to another line, at all points of inter-

"section with other routes, if such transfer be necessary to enable him to continue to his destination. The city reserves the right to regulate issuance and use of transfers to carry out this provision, and also reserves the right from time to time to establish transfer points and require the exchange of free transfers at such points between the lines of the grantee hereof and other street railroad companies. Any child under six years of age, accompanied by a parent, guardian or other person paying fare, shall be carried free.

"Sec. 5. Where said street railroad routes pass over streets already paved at the time of the construction of the railroad, the said grantee shall not be required to pay the estimated value of sixteen feet of pavement for double track, and seven feet for single track, as required by section 871 of the Revised Ordinances.

"Sec. 6. Wherever the railways above authorized to be constructed are along streets not in the 'free territory' so-called, now occupied by other street railway tracks, the said grantee shall have the right to construct straddle tracks, under plans and specifications to be approved by the city engineer or board of control, said straddle tracks to be removed whenever the joint use of said tracks on said streets is obtained or established.

"Sec. 7. Whenever any controversy arises between the grantee under this franchise and his employees, which interferes or threatens to interfere with the operation of the road, each side of the controversy shall appoint two persons as its representatives, who shall constitute a board of arbitration, whose actions shall be final. If said board fails to agree within three days, then the mayor shall become the fifth member of the board and a majority vote of said board, consisting of five members, shall be final. No motorman or conductor shall work more than ten hours within the limits of fourteen hours in any twenty-four hours, except in case of emergency causing obstruction of traffic.

"Sec. 8. The city reserves the right to purchase said street railroad with any additions or extensions, whenever it may have the power to do so, for such price and upon such terms and conditions as may be agreed upon between it and the owner thereof, or upon their failure to so agree, then for such price and upon such terms as may be fixed by a board of arbitration consisting of three persons, a majority of whom shall decide all questions.

"Sec. 9. In case of arbitration in the purchase of said street railroad, the city shall give at least six months' written notice of its intention to so arbitrate, and shall name therein one arbitrator. The owner shall name in writing, within thirty days thereafter, one arbitrator. The two, within thirty days thereafter, shall agree upon the third arbitrator. On the failure on the part of the owner to name one arbitrator, or on failure of the two arbitrators to name the third, the probate judge of Cuyahoga county may name either or both, as the case may be, upon the application of the city. In case of the death or disability of any one of the arbitrators, his place shall be filled in the manner provided for the making of his appointment.

"Sec. 10. The value of said street railroad shall be obtained as follows: The cost of reproduction shall be estimated, and from this shall be taken a reasonable amount for depreciation. All the physical property of every nature used in the operation of the railroad shall be included in the valuation. Separate, itemized schedules, with values, shall be made under the following titles:

"I.—Land. II.—Power houses, including buildings and machinery. III.—All buildings except power houses. IV.—Tracks. V.—Street pavements to the extent paid for by the grantee. VI.—Rolling stock. VII.—Miscellaneous.

"To this total valuation of the above items shall be added ten per cent (10 per cent.), but in arriving at the said valuation the franchise and privileges granted by the city shall not be estimated or paid for.

"Sec. 11. The city reserves the right to decline to take the property at the valuation fixed by arbitration as above provided, but in case of such declination no demand to purchase shall be made by the city within a period of two years.

"Whenever after ten years from the date hereof the net earnings of said railroad exceed eight per centum per annum on the actual bona fide value of said road, equipment, extensions, etc., irrespective of the capitalization thereof, the owner shall pay one-half of said net earnings in excess of 8 per cent. into the city treasury, whether said earnings are applied to interest payment, dividends,

"surplus, extensions or betterments. And for the purpose of ascertaining said value the same procedure shall obtain as provided in section 10 hereof for purchase, unless the value shall be agreed upon between the parties.

"Sec. 12. The city reserves the right to grant to any other party or parties the joint use of not to exceed 10 per cent of the length of any route herein described, on such terms as may be fixed by the council, in case the parties do not agree; but no such grant shall be made to any party who shall charge a higher rate of fare than the grantee.

"Sec. 14. If at the expiration of this franchise no extension or renewal thereof be granted by the city, and the city has not itself acquired the property, then any party to whom a franchise may be granted over the within routes and extensions thereof, shall have the right and be under obligation to purchase said railroad under the terms providing for the purchase by the city as herein contained.

"Sec. 15. The grantee herein shall make known the true state and condition of the financial affairs of said railroad, and the director of accounts and authorized agents shall have the right and be afforded the privilege at any and all reasonable times to examine any and all books of account, lists of names of stockholders, showing their respective holdings, and shall be permitted to ascertain from said records and books the actual amount or amounts invested and the amount of capital stock issued, the cost of the property, liabilities, assets, profits and losses, income, expenses, and costs of betterments.

"Sec. 19. The street railway tracks over the routes herein authorized to be constructed shall be built within six months after the date of the passage and legal publication of the within ordinance, and the same shall be equipped and operated within one year from said time, unless prevented by legal proceedings over which the grantee has no control, or unless the board of control shall extend the time."

MUNICIPAL SOCIALISM IN GREAT BRITAIN.*

BY JAMES BOYLE.

For some years past, there has been a quiet but gradually increasing development of a certain phase of socialism in Great Britain. Reference is made to what is generally known as "municipal trading," and sometimes, and more correctly, as "municipal socialism." The first appellation is rather a misnomer at the existing stage of the movement. Municipal socialism does not mean a division of private wealth or property "share and share alike," but the ownership and operation of certain undertakings and enterprises (in America generally described as "public utilities") by the municipality for the public good, as claimed. As generally explained, the enterprises within the proper sphere of municipal socialism are "public necessities." But here arises the question, Where is the line to be drawn? This line is by the great majority of advocates of the system drawn at those enterprises and undertakings which by their very nature are essentially public or semi-public in their functions, and which are of necessity more or less monopolies—as, for instance, street railways, water works, gas lighting, electric lighting, and electric power. Incidentally, it may be mentioned that the domain of "national socialism" has been entered into by the British Government by its ownership of the telegraph system and by its proposed gradual absorption of the telephone system; and a movement has sprung up for the nationalization of the railroads, and even of the coal supply, as well as of storage of wheat for use in case of war.

GROWTH OF MUNICIPAL OWNERSHIP.

In 1875 the capital invested in municipal undertakings in Great Britain was \$465,000,000, while in 1900 there were \$1,500,000,000 invested.

There are now in Great Britain 931 municipalities owning water works; 99 owning the street railroads (or "tramways," as they are called here); 240 owning the gas works, and 181 supplying electricity. Most of these are in England. Municipalities were not allowed to work the tramways until 1896. It is estimated that half of the gas users in England use municipal gas. In a number of places—Liverpool among them—the municipalities supply electricity for lighting and power, while the gas supply is still in the hands of private corporations. In the case of Liverpool, the gas company is quite willing to sell to the municipality, but the latter will not buy; first, because under the charter of the gas company the municipality would be compelled to pay a perpetual dividend of 10 per cent. to the stockholders, and, secondly, because it is believed that in the near future electricity will practically supersede gas as an illuminant.

The municipalities of Leamington and Harrogate own Turkish baths, two of the best at present existing in Great Britain, and Harrogate also gives firework

* Reprinted from the June issue of the Consular Reports.

displays at municipal cost. Glasgow, like Liverpool, owns its water works and trams, and provides municipal lectures. Glasgow has quite recently reduced the fares on the tram cars, so that there are now not only half-penny (1-cent) fares, but a distance of $2\frac{1}{2}$ miles can be traveled for 2 cents. Universal penny (2-cent) fares will probably shortly be introduced in Liverpool. The "transfer" system, as prevailing in America, is not used in Liverpool, nor in any other British municipality, so far as I know. Glasgow was the first city to establish a "municipal palace." Manchester owns shares in its ship canal. Out of its municipal tramway profits Sheffield has appropriated \$75,000 for the erection of shops and business premises, which it will rent. Quite recently the northern townships outside of London bought the well-known Alexandra Palace, where the municipal authorities maintain an auditorium and give organ recitals and theatrical, military band, and variety entertainments of all sorts, and industrial exhibitions. Torquay owns a rabbit warren; Colchester possesses an oyster fishery; St. Helen's (a chemical center in this consular district) supplies sterilized milk; Hull owns a crematorium; Doncaster and Chester own race courses (the former actually managing the races); Bournemouth owns one of the finest golf courses in Great Britain; West Ham, a borough of London, owns a stone-flag factory, and Bradford owns a hotel—as also does Liverpool (on its water works property in Wales). Bristol has municipalized its docks and harbor, at a cost of between \$10,000,000 and \$15,000,000. The docks of Liverpool are municipalized in a modified way. The system is peculiar to Liverpool. This vast estate, valued at several hundreds of millions of dollars, is administered by a public trust, nearly all the members of which are elected by those who pay dock dues, and the profits, after deducting expenses and payment of interest on capital account, go to improvement, and not to the benefit of a private corporation. The probability is that the London docks will before many years be managed under either the Bristol or the Liverpool plan. Nottingham, in addition to owning parks, markets, artisan dwellings, baths, and a hospital, has bought a castle and a forest, and has a natural history museum and a school of art, and was the first municipality in Great Britain to have a university college. The last item gives occasion for the statement that several English cities have within the last year or so taken up the question of local universities. Birmingham has established one, and Liverpool will shortly follow suit.

Liverpool is one of the foremost cities in municipal socialism. It owns the water works (one of the best systems in the world); it operates the street cars; it supplies the electric light and power; it has one of the largest and best public-bath systems anywhere and proposes to erect the finest Turkish bath in Europe; it provides public laundries for the poor districts; it furnishes flowers and plants for the windows in the slums; it sells sterilized humanized milk for the children of the poor at cost price; it has a salaried organist to play its famous municipal organ; it gives municipal lectures—and all these in addition to the usual undertakings of municipalities, such as parks with concerts, technical schools, etc. But the greatest socialistic undertaking by the Liverpool municipality is that of providing dwellings for the very poor, the dispossessed tenants of demolished insanitary dwellings of the slums.

HOUSING PROBLEM.

The one great predominating question in connection with municipal socialism is the "housing question"—that is, the demolition of "slums" and insanitary dwellings and the erection by the municipality of suitable dwellings in place thereof. Americans who have never been here can have but little conception of

the terrible conditions existing in many of the large cities of Great Britain as to the housing of the very poor. This condition is a heritage of former social and economic conditions, as well as of feudal land laws, and of the past indifference both of the municipalities and of Parliament, as well as of the public generally—even, it may be said, of philanthropists. But heroic efforts are now being made in many of the large cities, and Liverpool is in the front rank in the efforts to remedy this deplorable condition of affairs. Many difficulties have been confronted and overcome which at first were thought to be insurmountable—and these in addition to the perplexing moral and social questions involved. One great difficulty is that of compensation to the owners of insanitary property. In England, the doctrine of "vested rights" is generally held very tenaciously. London has spent nearly \$15,000,000 in clearing away insanitary property. In some districts of London it has cost from \$1,500 to \$2,500 for every family turned out. These large sums refer only to the clearances of the slums and to the compensation of the landlords, and do not include the amounts spent on the construction of new municipal houses. An agitation is being raised against the past generous compensation of owners of insanitary property, and it is claimed that under the present act of Parliament these owners can be prosecuted for allowing their property to become insanitary.

Another great difficulty has been the question of providing an adequate number of suitable municipal dwellings ready for occupancy at the same time that the unfortunate dwellers of the slum houses are dispossessed of their tenancy. Inattention to this necessity has called forth indignant protests in the large cities of Great Britain where the municipal scheme has been adopted as a solution of the slum problem. Glasgow, for instance, is said to have had at one time 50,000 people turned out of their homes by the corporation (of course, not all together), while it only provided housing accommodation for 7,000. In the initial stages of the municipal housing scheme in Liverpool, the same difficulty presented itself, but the "housing committee" of the corporation have recently pledged themselves that they will not undertake any scheme of demolition until they have provided adequate accommodation elsewhere for the dispossessed tenants. Under the present act, municipalities are compelled to provide substitute accommodation for at least 50 per cent of the dispossessed occupiers of slum property. The act under which municipalities demolish insanitary areas and erect dwelling houses seems to be of a most comprehensive character. It not only authorizes a municipality to construct a house, but it "may include a garden of not more than half an acre, provided that the estimated annual value of such garden shall not exceed £3" (say \$15). And the municipality, if it builds a cottage, can "fit up, furnish, and supply the same with all requisite furniture, fittings, and conveniences."

There are two principal slum areas in Liverpool—one in the north end of about 383 acres and another at the south end of the city of about 100 acres. Most of the houses in these two districts are structurally insanitary. There are rows of them built "back to back." There are other districts where houses have been made insanitary by overcrowding and the habits of the people. The original number of structurally insanitary houses, when the corporation commenced operations, is estimated to have been about 22,000. Of this number, the corporation has demolished about 8,000 and private owners and builders have demolished about 4,000 more. There are still about 10,000 insanitary houses to be dealt with. The average number of persons in these insanitary houses is five per house. Slum houses in Liverpool are generally of three rooms, one above another, although,

as a rule, the third or upper room (really a garret) is seldom used. Under an act applicable to Liverpool, passed in 1864, compensation is paid to owners of insanitary property which is demolished, such property having been condemned on a presentment of the grand jury upon a report of the medical officer of health. The corporation is also using the powers conferred upon it by a general act passed in 1890 providing for the "housing of the working classes." This act provides for compensation as a rule; but still, under a certain provision of the act, there can be a "closing order" against any house which is in a state so dangerous or injurious to health as to render it unfit for human habitation. If, on receipt of a closing order, the owner makes the house fit for human habitation, nothing more is done; but should there be any default on his part, an order for demolition may issue without any claim for compensation, in case the premises are a danger to the health of the neighborhood. Under both the local act of 1864 and the general act of 1890, where the owner does not elect to retain the site, the corporation must of necessity acquire both land and buildings. In some cases, the land thus acquired is sold by the corporation to private individuals on which to build houses, subject to certain restrictions, so as to secure improved sanitary conditions. In other cases, the corporation itself has built blocks of dwellings. Already, nearly 900 tenements (or suites of rooms) have been erected, and 1,301 additional tenements (or suites of rooms) are in course of building, or contemplated.

MUNICIPAL DWELLINGS.

The Liverpool municipal dwellings are mostly in the form of blocks of tenement houses or "flats," three or four stories high. The local Government board (a bureau directly under the control of Parliament) insists upon certain provisions to meet the necessity of dispossessed tenants before sanctioning demolition operations. Until 1899, there had been a conspicuous failure to meet this obligation, but since then the wants of dispossessed persons have been carefully foreseen and met. The present policy is to have blocks of dwellings ready within convenient distance, into which dispossessed tenants can go immediately they remove from the condemned property. Most of these tenants are dock laborers or a like class. It is claimed that Liverpool alone among the municipalities of England and Scotland has been successful in supplying a type of building within the financial means of the poorest of the poor. A single room can be had for as low as 45 cents a week. The rent of two rooms ranges from 60 to 80 cents; that of three rooms, from \$1 to \$1.10; that of four rooms (the largest suites provided), from \$1.25 to \$1.50. The fixtures are simple, but superior to those supplied in like dwellings by private landlords. In a few dwellings, hot water is supplied. Others have gas, paid for on the "slot" principle. Two cents' worth is sufficient for four or five hours' consumption by one burner. Since Liverpool went into this enterprise, it has paid \$1,925,000 for demolished property, and, in addition, several pieces of land have been purchased, costing \$335,825, for the erection of municipal dwellings. The cost up to date for construction alone has been \$732,875. The total burden on the local taxation as the result of these combined operations amounts to 13½d. in the pound sterling, or 3¼ cents on every \$4.86. The rents paid are insufficient by about 2 per cent to meet the cost of the dwellings, without counting anything for a sinking fund, depreciation, etc. The present effort of Liverpool is to provide housing for the dispossessed tenants of condemned slums. It will probably take twelve years to complete this task. Then, the question of providing better accommodations for artisans and mechanics will possibly be faced. Liverpool, it is said,

owns more revenue-producing real estate than any other municipality in the world, its income from this source being about half a million dollars a year.

The London County Council has within a recent period taken hold of this "housing question" with a firm and comprehensive grip. There will not be as much compensation paid to owners of slum property as formerly. One scheme adopted by the London County Council provides cottages for 8,000 people; another (and this is on an estate outside of the London boundary line) will accommodate 6,000 people; and a site has been bought where 42,000 are to be accommodated in pretty little cottages, with gardens. London undertakes to provide for the artisan class as well as for the "casual," and in that particular it is in advance of Liverpool.

Strange to say, the housing question is getting to be an acute one in the country districts, as well as in the British municipalities. It is claimed that one of the reasons why the rural population flock to the cities is because many of the great landowners not only fail to erect decent residences for the laboring people, but some of them actually refuse to allow cottages to be erected on their estates, either because of æsthetic reasons or because the laborers' cottages would have a tendency to depreciate the value of the estates to prospective wealthy purchasers.

LIVERPOOL MUNICIPAL STREET RAILWAYS.

Liverpool boasts of having one of the best street railroad systems not only in Great Britain, but in Europe. The corporation got control of the system in September, 1897, and has substituted electric for horse cars. At the date named, there were 68 miles of tracks within the city and about 7 miles in the surrounding district connecting therewith. There were then 287 cars, 156 omnibuses, and 3,623 horses. The municipality paid \$2,836,875, the purchase price covering tram cars, omnibuses, good will, vested rights, etc. In November, 1898, an experimental electric line 5 miles in length was opened. The work of reconstructing the new lines commenced in January, 1899, and by the end of 1900, 100 miles of lines were completed, including extensions. The overhead-trolley system is used. Of the entire 102 miles of track laid down, only 6 miles were laid with American rails and 5 miles with German rails; the remaining 91 miles were laid with rails of English manufacture. The prices paid were: For American rails, \$42.58 per ton; German rails, \$29.79 per ton; and British rails, \$34.06 to \$44.39 per ton. The first 15 motors and 15 "trailer" cars for the experimental line were obtained from Germany. Subsequently, 15 Brill cars were obtained from the United States. The balance of the cars are of English make. The prices paid were: German cars, \$3,567.14 each; German "trailers," \$1,275.02 each; American cars, \$3,065.89 each; English cars, \$2,384.58 to \$2,856.63 each. In reply to my inquiry as to whether there has been any discrimination in favor of British rails, cars, electrical equipment, etc., as against American, German, or other foreign make, and whether the contracts were made under competitive bids, I am officially informed by the manager that tenders were invited and the most advantageous were accepted.

Most of the cars in use and all those now being made are of what is known as the "standard Preston type." This car is shorter than most American cars, and has a "reverse" staircase for top outside seats. Each car accommodates 22 inside and 34 outside. In fine weather, the outside of cars and omnibuses is preferred in England to the inside. Experience has shown that the style of car used in Liverpool gives the most satisfaction to the British public. There are no "summer cars" of the American type here; the weather is too variable. The

fares charged are by distance. Two cents is the lowest fare for which 3 miles can be traveled; 5 miles 308 yards can be traveled for 4 cents; 7 miles 287 yards for 6 cents, and 8 miles 495 yards for 8 cents. The total traffic receipts during 1901 were \$2,341,915. The percentage of working expenditure to gross receipts is 63.7. Parliamentary powers are being obtained to devote not exceeding one-third of the net profits to the relief of the rates; the balance of net profit goes to a renewal or reserve fund. The total number of employees is 2,293, of whom 646 are drivers, 595 conductors, 117 inspectors, etc. Drivers and conductors work ten hours per day. Under the old system, before the municipality took charge of the tramways, the average working-day of conductors and drivers was fourteen and one-half hours. They are now paid 12 cents per hour. After twelve months' service with merit, 24 cents per week extra is paid for each period of ten years of approved service. Under the old régime, drivers received \$6.80 per week, rising in eighteen months to \$8.51 per week; and conductors received \$5.95 per week, rising in three years to \$6.80 per week. The rate of pay under the old régime was for seven days a week. The system already extends outside the city boundary, and it is proposed to connect it with lines of a new enterprise in which American capitalists are interested, known as the South Lancashire Tramways Company, and which will form a network of street-car lines between Liverpool and important towns in South Lancashire.

DIRECT EMPLOYMENT *vs.* CONTRACT SYSTEM.

Several municipalities have adopted what is known as the "direct" system of labor as contra-distinguished from that of the "contract" system. This is notably the case in London. The county council of London employs workmen on a principle which is "based on the rates of wages and hours of labor recognized by associations of employers and trades unions and in practice obtained in London." There is also a stipulation that "where in any trade there is no trade union, the council shall fix the rates of wages and the hours of labor, and shall from time to time revise the same as may be necessary." A great deal of opposition has sprung up against this system of direct employment, and the opposition has made much capital of the alleged fact that the bricklayers employed by the London County Council under the above conditions only lay down one-half or even one-fifth as many bricks per day as contractors get laid even by union labor. On the other hand, the claim is made that the municipality gets its work done cheaper in the end because it does not have to pay profits to contractors and other middlemen. Speaking generally, nearly all of the work done by municipalities, even where municipal ownership prevails, is by contract; but, as a rule, these contracts are given out subject to what is known as the "fair-wage" condition, which is substantially the wage condition adopted by the London County Council. In connection with this question of direct labor, it is interesting to note that many British railroad companies adopt it, they making all their engines and rolling stock themselves; and this, by the way, is given as one of the reasons why the outside British makers of locomotives are not able to meet foreign competition, because they have not got patronage enough to warrant them in keeping their plants up to date.

One of the greatest examples in England of "direct" labor is furnished by the Liverpool Dock Board. This board formerly did all its work itself. The question of cost did not primarily come in, but the principal reason for direct labor was the belief that it would not be safe to trust contractors with the kind

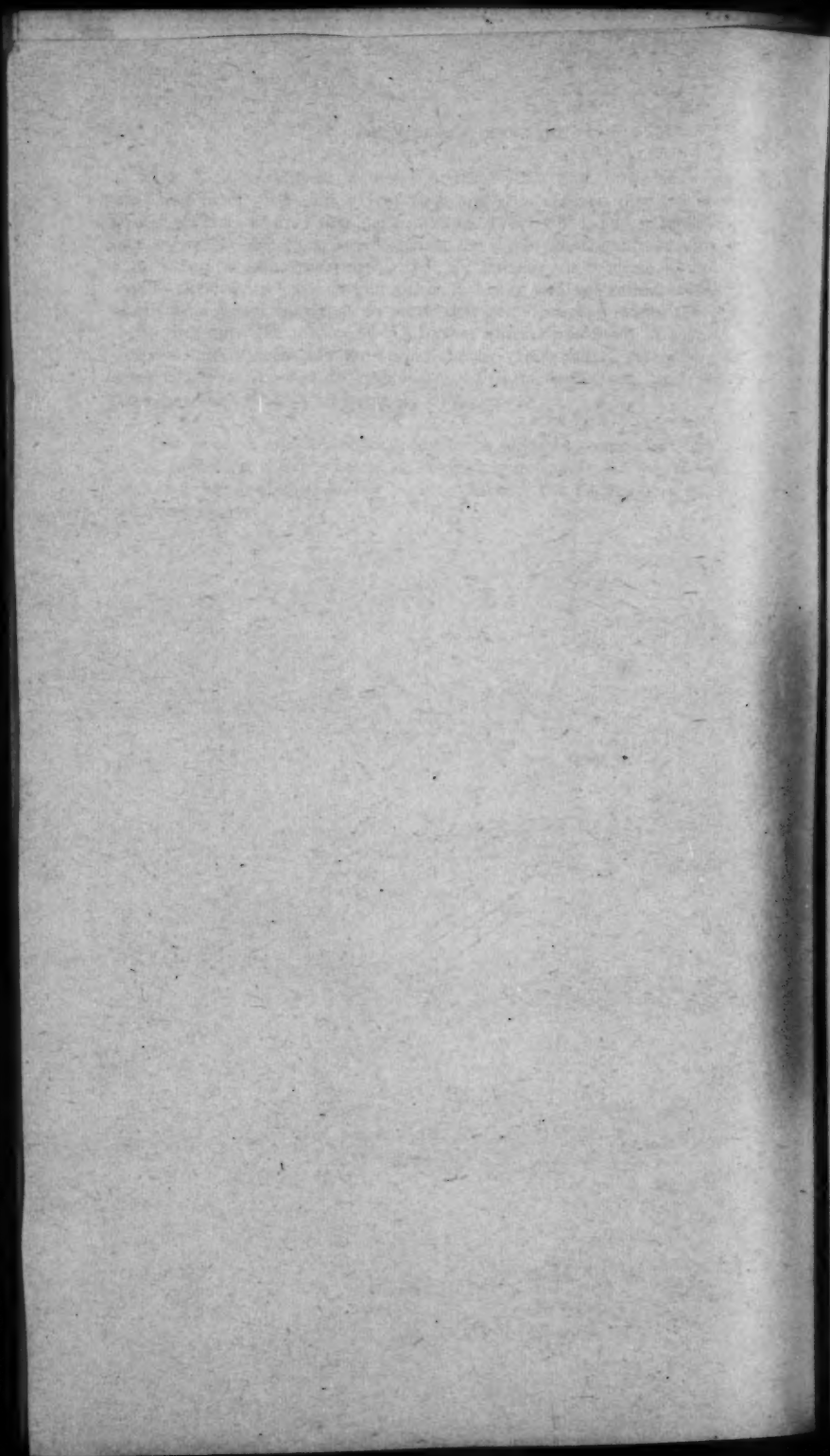
of work to be performed. For two or three years past, however, a great deal of work has been given out by contract, and it is claimed that the contract work is done just as well as that performed by direct labor, and much cheaper. One of the greatest objections urged against the employment of direct labor by municipalities and large corporations is that the tendency is to perform the work "too well"—that is, to make it unnecessarily heavy and substantial without any discrimination being shown as to work that can be lightly done, the object being to "string out" the job. And the further objection is made that when a municipality or public trust has its work done by direct labor, the employees do not work nearly as hard as do employees of private contractors, and, as a rule, get more pay than those who work for contractors.

* * * * *

Two observations are appropriate to be made in conclusion: Speaking generally, municipal government in Great Britain is honest, intelligent and energetic; and, as a rule, politics has but little to do with the engagement or retention of civic employees.

of
rk
be
ci-
oo
is-
ng
ici-
not
get

gen-
etic;
n of



CURRENT NOTES ON PUBLIC ART.

ACTIVITIES OF THE NEW YORK MUNICIPAL ART SOCIETY.

One of the fundamental tenets of the Municipal Art Society is to assist the city officials in securing artistic designs for street fixtures. Thus, when the subject of new street signs was taken up by the present city administration, a committee of the Society, which had been urging the adoption of adequate facilities in this

direction, offered its services. President Cantor, who had charge of the erection of the new signs in the Borough of Manhattan gladly availed himself of the offer and requested the committee to prepare a design which would be not only useful and fulfill all the requirements, but also artistic.

The most difficult problem was that presented by a rapidly moving electric car upon a street of considerable width, when it is especially difficult for the occupant of the car to ascertain what cross street he is approaching.*

The solution offered by the committee, and worked out by Mr. Charles R. Lamb, was a triangular sign with one apex pointing towards the centre of the street, the name of the cross street being placed upon the two sides of the triangle seen from the street car. The traveler is then



TRIANGULAR STREET SIGN.

Adopted by the Borough of Manhattan.

able to read the sign wherever he may be, which is not the case when the sign is rectangular.

As far as we know, this is the first sign of this character that has ever been designed, and yet is so admirably adapted to certain conditions that it is especially deserving of wide notice; and it shows what excellent results may be obtained

*For the complete discussion of the whole subject see "Street Signs and Fixtures," by Nelson S. Spencer in the September, 1901, issue of MUNICIPAL AFFAIRS.

when city officials and private societies work hand in hand for the improvement of the city.

The most recent activity of the Municipal Art Society is a competition for a design of an electrolier to be placed in an "isle of safety" at the intersection of Fifth avenue and the south side of Twenty-third street. The general purpose is to obtain a simple and beautiful street fixture, to serve as an example for future work, by its placing to divide the traffic so as to force it to follow the rules of the road

and keep to the right, to supply a place of safety for foot passengers in crossing the avenue, to give a place for the necessary lighting, signs, etc., for the convenience of the public.

The Society offered three prizes of \$500, \$100 and \$50, the person receiving the first prize being required to execute the necessary drawings and models for the construction of the electrolier. The cost of the completed electrolier, including erection, is limited to \$1,500, which expense is also to be defrayed by the Society, the whole work being donated, therefore, without any expense to the city.

It is the aim of the Society to erect and donate to the city each year some one thing which will be a mile stone to its other activities. It is encouraging to note that the support it is receiving in its many efforts to beautify the city is increasing at a rapid rate. The following list of its working committees will indicate something of the scope and character of its activities: Exhibition, Parks, Thoroughfares, "Model City," Street Fixtures, Advertising Signs, Flowers, Vines and Area Planting, \$50,000 Annual Appropriation, Conference, Special Work, Membership, etc.



First Prize, by
VICTOR A. CIANI.



Second Prize, by
HENRIK WALLIN.

ARTISTIC SIGN COMPETITION IN PARIS.

Through the kindness of Mons. Selves, Prefect of the Department of the Seine, we have received announcements regarding the competition for designs of artistic advertisements to be held in Paris in October. The large amount awarded in prizes—\$3,000—the marked interest aroused among art workers, the willing co-operation of high officials in governmental service and noted societies, the utility of a similar competition in every city, and the possibility of great improvement in the artistic nature of art advertisements make this competition of unusual interest. The conditions under which it is to be carried on are as follows:

(1) The competition is open to all French painters, sculptors, architects, engravers, art workers and artisans. The greatest freedom is allowed as to subject-matter, for the designs may be for hotels, cafés, restaurants, small shops, stores, warehouses, factories, offices, etc.

(2) The sign itself may be submitted, or simply models, drawings, washings, etc. Each will be received and considered by the Jury of Award without reference to the form in which the design is submitted.

(3) As to the dimensions, form and character of the material to be used in the completed sign, entire freedom is permitted.

(4) It is the purpose of the competition to call forth new designs and all existing signs, therefore, cannot be submitted.

(5) All designs must be delivered at the Petit Palais, Champs Elysées, from October 6th to 11th, between 10 A. M. and 5 P. M.

(6) The Jury of Award, under the Presidency of the Prefect of the Seine, or his representative, shall consist of 33 members selected as follows:

5 members appointed by the Municipal Council.

5 members appointed by the Prefect of the Seine.

5 members appointed by the Academy of Fine Arts.

5 members appointed by the Chamber of Commerce.

5 members appointed by the competitors.

Director of Fine Arts.

Director of Architecture of the City of Paris.

Architect-in-Chief.

Architect-in-Chief of the Prefect of Police.

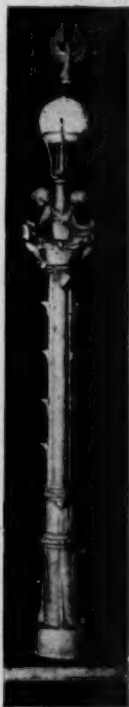
Inspector of Fine Arts of the City of Paris.

Chief of the Bureau of Surveying, and His Secretary.

(7) The Jury shall designate, without Honorable Mention, by limitations as to number, the designs

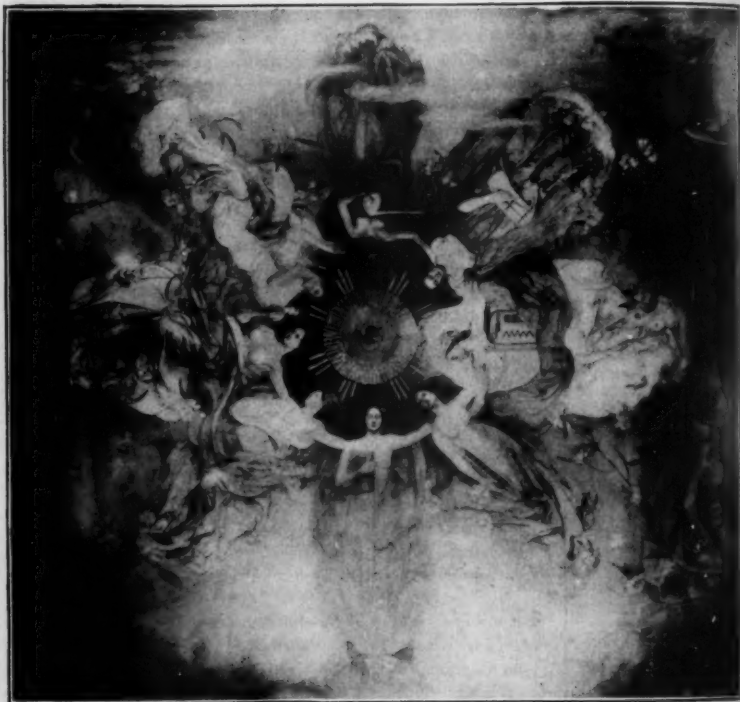


Third Prize, by
WILKINSON & MCGONIGLE.



which shall be deserving of commendation, and a silver medal shall be given to each of the competitors whose designs have been thus commended. The Jury shall award also, in order of merit, the following prizes:

One prize of \$600.....	\$600 00
Two prizes of \$400 each.....	800 00
Four prizes of \$200 each.....	800 00
Eight prizes of \$100 each.....	800 00
Total	\$3,000 00



MURAL PAINTING, BY O. W. BECK. CINCINNATI CITY HALL.

(8) The competitors who do not desire to participate in the money awards may so declare when submitting their designs.

(9) A public exhibition of the designs will be held after the publication of the awards.

(10) The prize designs, when not reserved by those submitting them, shall bear a price mark for which they may be purchased by those who wish to use them.

(11) Special facilities will be accorded by the city government to those who wish to use the prize designs. All signs must conform to the street ordinances.

THE MUNICIPAL ART SOCIETY OF CINCINNATI.*

The Municipal Art Society of New York was the first organization to devote special attention to public art, but almost immediately after its organization (1892) the same appreciation of the necessity of such an organization was felt in Cincinnati, and two years later (1894) the Chamber of Commerce was addressed by a member of the New York society and an organization immediately formed having for its purpose the improvement of Cincinnati with special reference to æsthetic matters; or, in the words of the Society's constitution, "to provide appropriate sculptural, pictorial or other decorations for the public buildings and parks in the city of Cincinnati and otherwise to encourage high æsthetic standards."

Even before the Society had perfected its organization and before it was able to order a work of art for the city, a private citizen offered to the city a Venetian Well Curb which he had found while traveling abroad. The Society placed it near the entrance to Eden Park, where it stands as the first mile-stone toward the elevation of Cincinnati to a prominent place as a centre of public art.

This initial undertaking did much to arouse the interest and enthusiasm of the citizens of Cincinnati and paved a way for the next important undertaking—the decoration of the ceiling in the entrance of the new City Hall. A competition was announced and prizes offered. Plans were submitted by artists in Boston, New York and Philadelphia as well as Cincinnati, and the jurors—Mr. C. R. Lamb, of New York, Mr. Frank Duveneck, of Cincinnati and Mr. T. C. Steele, of Indianapolis, awarded the first prize of \$200 to Mr. O. W. Beck, of New York, and the second, of \$100, to F. W. Shafer, of Philadelphia. The appropriation made by the Society was \$2,200, and Mr. Beck, almost regardless of this amount, painted a ceiling which has stimulated a love for artistic things and a desire for civic improvement. An extremely practical result of the success of this undertaking was that when the City Hall needed redecoration the work was referred to the Art Society.

One of the most interesting achievements of the Cincinnati Art Society has been its co-operation with the donor of the Lincoln Statue, thereby making it possible to secure an adequate design and a suitable location. Very tactfully the Society suggested that a sculptor be secured instead of a monument maker, as was first intended, and that a model be submitted to the committee for approval. The donor welcomed the suggestion, although it involved considerably greater expense. After considerable delay and the removal of many obstacles a location was secured adjacent to a school-house, where it will be not only an important statue, but thoroughly appreciated by the people in the vicinity and a lesson to the school children who will constantly pass and repass it.

Among the many other activities of the Art Society have been its agitation against bill boards and wall signs, resulting in first instance in a request being sent to the Society for the preparation of a suitable sign for a business house; investigation of the smoke nuisance and aid to the city officials who were trying to enforce the law; and the preservation of the bronze fountain. In this last instance the city officials thought that the yellow lustre that new bronze has should be preserved and consequently prepared to polish the original fountain, remove the "tarnish" and restore to the original color. This had been done once before when there was no Art Society, and when the plan became known immediate action was taken to circumvent it, with the usual result that the persons interested in æsthetic matters were successful.

*We are indebted to Mr. David B. Howland of Northampton, Mass., for the notes upon which the following paragraphs are based and for the illustration which accompanies.

BOSTON LECTURES UPON ÆSTHETIC DEVELOPMENT OF CITIES.

The rapidity with which the movement for public art in American cities has gained headway is surprising. In the March, 1898, issue of MUNICIPAL AFFAIRS we published the first symposium upon the æsthetic side of city development issued in the United States. Since that time a flood of magazine articles, a large number of pamphlets and a few books have appeared upon different phases of the subject. Organizations have been formed in city after city, devoted wholly or in part to the decoration of cities, and the Reform Club has repeatedly received inquiry upon inquiry asking for practical suggestions as to how best to proceed.

The trustees of the Boston Public Library have conducted every winter for several years a series of lectures upon public and municipal problems. In the season just closed, they have recognized the growing importance of public art and have given a series of lectures by experts, as follows: "The City of the Future," by Albert Kelsey; "City Streets and Squares," by C. Howard Walker; "Small Houses and the Grounds about them," by R. Clipston Sturgis; "Public Advertising," by John DeWitt Warner; "Bridges," by Edmund M. Wheelwright; "The Proper Function of Open Air Statuary," by F. W. Ruckstuhl; "The City of Washington: Its Plan and its Possibilities," by F. L. Olmsted, Jr.; "Water Parks," by John Woodbury; "The Purpose for which a City may Reasonably Encourage Art," by Brooks Adams.

The unusually large attendance has shown how wide is the interest, and the excellent character of the course justifies extended notice. In recent issues of MUNICIPAL AFFAIRS, we have published the gist of two lectures—those by Mr. Olmsted and Mr. Brooks Adams. In future issues we hope to present others.

From Mr. Kelsey's address, we quote the following characteristic paragraphs:

"A fixed ratio should exist between the voids and solids of all quarters of the city, whether such quarters be one of lofty office buildings or of modest two or three story residences. By this I mean a proper ratio between blocks of buildings on the one hand, and the streets, courts and open spaces surrounding them on the other. If a sufficiency of open space is provided, beauty is possible, and here, already, we see the interdependence existing between circulation, hygiene and beauty.

"Beauty represents the expression of a city. Cities, like individuals, have natural and artificial expressions. The dominating chimneys of the manufacturing towns, and the surmounting domes and minarets of the Oriental city, are each natural expressions.

"The savage has much the same faculties as the civilized man, but these faculties are less developed. The savage is unkempt, shaggy and dirty. The ordinary city is unkempt, *i. e.*, it is an haphazard conglomeration and it is usually dirty. But as cities develop—whether it be the crude manufacturing town or the mysterious Oriental city—in *this age* of tolerance they soon produce one or more cosmopolitan thoroughfares, providing easy circulation, good hygienic properties, and, possibly, some degree of beauty."

Probably no field needs attention more than that of public advertising, and Mr. John DeWitt Warner's address is peculiarly timely. He differentiated advertising which commands notice because it lines public thoroughfares so continuously and in such a prominent manner that one cannot escape it, from that which appears in newspapers, magazines or mailed circulars. The latter can be avoided, can be

thrown away, can be brushed aside, but the former hinder enjoyment by the public of the very thoroughfares which are for their use and pleasure. It is necessary, therefore, that these be restricted.

After considering the rapidity with which demand has arisen for restriction, the conditions that exist in various countries, the character of the problem, Mr. Warner calls attention to certain hopeful signs. First: The aim of each to screech louder than his competitor is futile, except in the case of the man who yells the loudest, for the others drown their own voices and spend large sums with small return. Second: Tradesmen are coming to realize that an ugly sign detracts immeasurably from the artistic value of a building, and that it is unwise to ruin a \$250,000 facade by plastering it with a \$500 ugly sign. Third: The worst advertising signs are found in the newest industries, and as the business becomes established, the taste with which it attracts its customers improves. Fourth: The æsthetic sense of the public is rapidly improving, and people object to hideous billboards in close proximity to their houses and to flaunting advertisements in public conveyances.

The various remedies that have been tried were also discussed, mention being made of taxation, building laws against obstructions, restriction of the size of billboards and signs, the removal by continued agitation of advertisements from public conveyances and thoroughfares, the holding of sign competitions to encourage the erection of artistic signs, etc. In conclusion, Mr. Warner said:

"The education of public opinion needed is not specially that of the masses, of the poor, of the uneducated, but rather of the wealthy, the cultured and the professional classes, if we may so distinguish our fellow citizens. Not to discuss here the reason for it, I have found it true, and I believe most of those who have studied the question will agree with me, that among the so-called uncultured classes the response to appeal on the ground of sentiment, beauty in any form, when called to its attention, is more general and prompt and, naturally, less affected by selfish and financial interests than is the case with our so-called cultured classes, taken as a whole. Again, from the very fact that our wage earners can so rarely surround themselves with beauty in their homes, they are all the more interested for themselves, their wives and little ones, in having public streets and squares made and kept beautiful, so that each may freely have and be protected in his enjoyment of the best that the city can afford.

"Moreover; it is not our wage earners, our poorer classes, or the uneducated among us who, as a rule, either attempt to flaunt unpleasant advertisements before us, or manufacture goods that are thus pushed, or own real estate from which income may be derived for such purposes; and it has not been without interest that I have recalled, or without intent that I have noted, the extent to which among the more flagrant examples of advertising depravity are those for which are responsible distinguished capitalists, philanthropists, social leaders, city authorities and art societies.

"The educational process ought, therefore, to be easy and prompt. It is necessary only to reach those whose surroundings of culture should make them prompt to respond; and these it is in fact easy to reach; *provided* the few among them who actually feel what most profess will insist upon taking their neighbors at their word, and conscript them into a campaign in defense of public beauty and protection against advertising desecration. If these once start to lead the mass of our citizens, they will find the latter following so fast as to accelerate rather than retard the leadership they furnish."

ART EXHIBITION OF THE CITY OF LONDON.

Since 1890 the City Corporation of London, that very ancient body which rules about a square mile of territory in the very centre of London, having a resident population of only 27,000, but a day population of several hundred thousand, has held almost yearly a free loan exhibition of works of art. The one now being held, the eleventh of the series, is devoted to French and English paintings of the eighteenth century, and contains over 150 canvases, panels, ivory and copper plaques, etc. The attendance, which has averaged for the ten years considerably over 200,000, promises this year to far exceed this number, which shows the wide appreciation and the generous interest of the citizens of London. No doubt the care with which these exhibitions are conducted and the appreciative interest that the City Corporation has always taken in art matters have done much to secure the generous co-operation which the catalogue of this exhibition shows to exist, as paintings have been loaned by scores of persons among whom are many owning art collections which are widely known upon both sides of the Atlantic.

The City Corporation also has a permanent art collection which contains over 600 oil paintings, sculptures, busts, engravings, water colors, drawings, casts, etc., distributed among the various buildings and public offices occupied by the corporation authorities. Most of them are located in the Mansion House, the Library or the Art Gallery proper and are visited always by tourists to London.

The origin and history of this collection is very interesting. Until the middle of the seventeenth century, the City Corporation had done nothing so far as the records indicate either to encourage art or to establish a collection of art works. Indeed, it is largely due to accident that pictures were first placed in the Guildhall. The London fire of 1666, obliterating the landmarks of property, was productive of many difficulties between landlords and tenants. The work of adjusting the various claims was of such magnitude and was accomplished by the Judges with such satisfaction that the Corporation decided to commemorate the work by ordering portraits of the Judges to be painted "by a skillful hand and to be kept in some public place in the city for the grateful memorial of their good offices." According to Walpole, Sir Peter Lely was the painter originally intended, but this distinguished artist for some reason did not accept the commission. Bids were then requested, resulting in the selection of one Joseph Michael Wright, who executed most and possibly all of the twenty-two portraits at a cost of £36 each. These historical portraits, deficient in quality but fair work according to the standard of the day, still hang in the Guildhall.

It was some fifteen years before any addition was made to this modest collection, and from time to time it was gradually extended, but often many years elapsed between additions. The largest number of art works were added during the century just closed, the most important collections being a large purchase made in 1851, the gifts of Sir David Solomon in 1872, of Mr. William Dunnett in 1888, of Sir John Gilbert in 1892, as well as many other gifts by private individuals and purchases by the Corporation in still later years.

ales
ient
has
eld,
the
oper
bly
vide
the
that
cure
, as
art

over
etc,
rpo-
y or

ddle
the
orks.
hall.
ctive
the
such
ring
ome
ding
shed
sted,
and
rical
day,

tion.
psed
ntury
1851,
f Sir
pur-

BOOK REVIEWS.

DEMOCRACY AND SOCIAL ETHICS.

Democracy and Social Ethics. By JANE ADDAMS, Hull House, Chicago. New York, Macmillan Co., 1902. 12mo, 277 pp., cloth, \$1.25.

The unenlightened who at times have been inclined to regard settlement work as a fad or at best an experiment, can henceforth have no cloak for their sin, for in the present volume lies a justification to be known and read of all men. If it be the function of social settlements to strip off that insulation which separates the minds of the prosperous members of the community from those of their less fortunate neighbors and to induce in each a common consciousness whereby each may, as far as possible, enter into the experiences of the other, it is not too much to say that in the chapters on "charitable effort," "industrial amelioration" and "political reform," Miss Addams has placed before the public the best demonstration yet made of how one-half of that problem—the understanding of the mind of the poor—can be handled.

New light seems to be thrown on the mental attitude of the incorrigible boy, for instance, by the delightful description of three little boys who, finding no other outlet for their imaginative impulses, dug a cave under a railroad viaduct, "swiped" potatoes, which they cooked and ate in true brigand fashion, decorated the interior of the excavation with stolen junk representing swords and firearms to their romantic imaginations, and finally, when landed in the reform school, consoled themselves with the thought that maybe they could dig a cave there in the country "where they couldn't hurt anything." We begin to realize, as Miss Addams points out, that much that is often called juvenile crime "is characterized by a pure spirit for adventure," and that "the vicious training really begins when such boys are arrested or when an older boy undertakes to guide them into further excitements." Again, we are vividly impressed with the working girls' point of view in the matter of spending a large part of her income on clothes by the remark that, verily, "if social advancement is her aim, it is the most sensible thing she can do."

Nowhere, however, is this sympathy for the "plain people's" point of view more evident than in the treatment of schemes for "social betterment." If the intended kindness of the employer actually benefits the employee, the highest result will not be attained till "associated effort toward social progress evokes higher social capacities," for, "the man who disassociates his ambition, however disinterested, from the co-operation of his fellows, always takes this risk of ultimate failure."

Miss Addams recurs again and again to the theme that the ethical standards of the poor, though as real as those of others, are often very different. A case in

point is the account of the lodging-house keeper, who, having sold the votes of his entire house to two political parties at the same election, was held under a street hydrant in November, not, forsooth, because he sold votes, but because of his duplicity and treachery. In the chapter on political reform Miss Addams is particularly successful in showing how these different moral standards make it peculiarly difficult to convince the poor that civic duty requires something more than allegiance to a political friend. She points out that "the songs which are most popular among them are those of a reminiscent old age, in which the ripened soul calmly recounts and regrets the sins of his youth, songs in which the wayward daughter is forgiven by her loving parents, in which the lovers are magnanimous and faithful through all vicissitudes," and connects this tendency to forgive very closely with the disposition to condone the corrupt alderman's practices. When such feelings exist we are led to see it is but natural that the man "who bails out constituents when arrested or sees what he can do to 'fix up matters' with the state's attorney when the charge is really a serious one," and does a thousand and one other personal services, should be revered far more than the reform candidate who does none of these things and is inclined to characterize as a scoundrel a man who, at the worst, was only "stealing from the rich to benefit the poor." And this sort of sentiment can go very far, as Miss Addams shows. The alderman saves the very poorest of his constituents from that awful horror of burial by the county. What more natural, then, than that a man who would ask at such a time where all the money thus spent came from should be considered sinister and that the tendency to speak well of the dead should be transferred to the living, even to the point of forming a lenient judgment of political corruption! Miss Addams well says, "the notions of the civic reformer are negative and impotent before this big manifestation of human friendliness, this stalking survival of village kindness."

These interpretations are not altogether new to enlightened workers among the poor. Coming as they do, however, from one who is drawing from twelve years' experience in one of the poorest wards of Chicago, they cannot fail to impress the reader. Their helpfulness to the multitude who have not yet realized the difficulty of social service cannot be overestimated.

On the subjects of "household adjustment," "filial relationships," and "educational methods," criticism is directed against existing conditions. It is true that here and there suggestions of important constructive value are made on these topics. It is a useful hint, for example, that much domestic labor now performed in the household could be done outside to advantage. The thought, too, that the education of the workman must not only include more practical training for industrial as distinguished from commercial life, but should offset the overspecialization of his daily work and give him a conception of his relation to industrial organization as a whole, is suggestive of definite constructive work.

Nevertheless, the reader lays down the book with the feeling that these suggestions are but vaguely outlined, and is inclined to regret that Miss Addams has not seen fit to apply her long experience to the task of explaining the other half of the settlement aim, namely, how may be brought to the plain people that which they need. The enthusiasm of hopeful endeavor seems absent. Possibly it is unjust to require the fullest expression of settlement aims from a volume composed simply of lectures delivered at various college and university extension centres, but one naturally hopes the first book of a prominent settlement worker will reflect positive as well as negative experience in some detail. That positive

results are aimed at no one will deny, for the fundamental theme running through the entire work is that the present standards of individual ethics must be supplemented by those of a larger social morality, and that this generation must conceive of democracy as an "identification with the common lot." It is to be hoped that in a future work Miss Addams will give to the public her thoughts on the practice of that democracy and that social ethics of which she has so admirably demonstrated the need.

New York City.

ALVAN A. TENNEY.

TENEMENT-HOUSES IN CHICAGO.

Tenement Conditions in Chicago. Report by the Investigating Committee of the City Homes Association. By ROBERT HUNTER, Editor. Chicago, City Homes Association, 1901. 8vo, 208 pp.

The statistical portion of this report is, for the district investigated, what the tenement-house census of Boston is to that city. The text is a plea for the better enforcement of the present law and the enactment of further restrictive measures as to buildings in the tenement districts. The former was prepared under the direction of Dr. Frank A. Fetter, acting in conference with others; the latter was written by Mr. Robert A. Hunter, Chairman of the Committee on Investigation, then a resident of the Hull House, Chicago, and now head worker in the University Settlement, New York City.

The districts investigated comprise the Jewish and Italian quarters in the Ninth and Nineteenth wards, the Polish in the Seventeenth, and the Bohemian in the Tenth, and are thought to be typical of the conditions in the city. These districts contain an actual population of some 45,000. In this work the Committee enjoyed exceptional advantages. The funds placed at its disposal were sufficient to hire competent and interested enumerators, to engage licensed plumbers to report on plumbing conditions, while the standing of those in charge gained the co-operation of persons and city departments necessary to its successful issue. The text is written in a popular style and should attract readers who have no immediate interest in the problem.

The title of the report is misleading. A consideration of the housing question with special reference to Chicago, would have been more appropriate. The text does not confine itself to a plain statement of fact, but expands into a sympathetic and even argumentative discussion for the evident purpose of propagating reform. With this idea in mind, adjectives have been abundantly used. "The showing is 'amazing'"; "the most wretched conditions are found"; the inside conditions of the basement tenement "are most reprehensible." Such statements are quite characteristic of the text, although it is definitely stated that the worst sections of the city are not chosen for investigation. The statistical portion brings to its aid various charts and diagrams that give graphical illustration of the facts presented.

In the tables, however, the result is less happy. Rooms are classified as "light," "gloomy," "dark," "very dark"; houses as "good," "fair," "dilapidated," and "unfit," a very doubtful procedure if definite ideas are to be conveyed to the mind of the readers. In some instances discrepancies are noticeable in the tables; for example, block 15 is reported on page 77 as having 502 rooms, while on page 79, where the block is more critically examined, but 462 rooms are reported, leaving the reader in doubt as to which figure is correct. Similar numerical slips are noticeable in other places.

The Committee finds that official neglect and corrupt politics are not alone to blame for the bad conditions obtaining in the city, but that the lack of definite public opinion on the subject of housing has given the ever watchful slum landlord an opportunity to do almost anything that would increase his income. Gradually a greater percentage of the lot has been covered; the small two-story frame or brick house, the home of one family changed into a tenement for several, then the larger tenement, covering 80 or 90 per cent. of the lot, and now the "double-decker," famous in other large cities, has made its appearance; this, in spite of the law, limiting the occupied area to 60 per cent. of the lot. In the area investigated, it was found that 39 per cent. of all the lots exceeded this legal limit, and that 17 per cent. were covered to the extent of 80 per cent. or more, a few being almost entirely occupied. This crowding of the lot area grows gradually worse in going from the Jewish to the Italian districts and there takes the form of the unwholesome rear tenement. These buildings are usually in bad repair and frequently become damp, due to the fact that the large front buildings cut off the light. Rear buildings were found on 23 per cent. of the lots investigated, and one block had 42 per cent. of all its buildings of this character. Many of the buildings in this district are the small one or two story frame or brick houses characteristic of an earlier period. Indeed, 35 per cent. of the rear houses were found to be one-story structures, while 90 per cent. of the rear and 62 per cent. of the front tenements were of two stories or less. Into such buildings as these the poorer people of the city are crowded, making the problem in Chicago at present, not that of the "double-decker," but of the small tenement. The average number of rooms to an apartment was 3.16, while 1.7 per cent. of all the apartments consisted of but one room, and 41 per cent. of these single room apartments had less than 300 feet of floor surface, giving in many instances but from 28 to 33 square feet per person.

Of the 1,961 rooms investigated 50 per cent. were badly lighted and in one block, 66 per cent. of all rooms were deficient in this regard; even in the first story it was found that half of the rooms were insanitary and that, in 30 per cent. of all, conditions obtain which should not be permitted by the sanitary law of the city. Even on the second floor a large number of rooms are declared to be unfit for habitation. A table of peculiar interest is the cubic yard space per person in apartments and sleeping rooms. In the apartments over 61 per cent. have less than 700 cubic feet of air space and 22 per cent. less than 400 cubic feet per person. In the sleeping rooms 48 per cent. had less than 250 cubic feet and 75 per cent. less than 399 cubic feet; i. e., three-fourths of all the rooms used for sleeping purposes were under the minimum requirements of the New York law, which demands at least 400 cubic feet per person.

Aside from being badly lighted and ventilated as the above would indicate, the basements examined were found to be defective in other ways. To quote from the report: "the floors were mostly of wood and were rarely watertight. They were not properly cemented at the sides or under the floors. The water and sewage from the neighboring yards drained under the floors and around the walls. Often where the land is low the sewage backs up in the sewer for days at a time, and menaces the health of the people in the underground homes. Very often (173 cases were found), against all rules of sanitation, water-closets not open to the outer air—that is to say, ventilated into the house—were placed in the basement and endangered the health of the people who had to live in the rooms adjoining. There is usually no ventilation to carry off the odors; and the rooms made unwholesome by these insanitary conditions often cannot be reached by

"the sun, which might dry out the floors and walls, and drive away the vermin. Filth accumulates undiscovered in the dark corners, and rats, which overrun these neighborhoods and forage in dark places, communicate disease and become a plague to the cellar and basement inhabitants." In apartments such as these 4,845 persons live, the number being greatest in the Polish district where about one-fifth of all the inhabitants are found in cellars or basements.

That accurate information might be obtained as to plumbing, the Committee very wisely secured the services of five skilled plumbers and made a careful investigation of certain sections of the districts under consideration. Based on their reports, the writer of the text concludes that due to defective plumbing the "most wretched and dangerous conditions" are present. In one district 80 per cent. of all sinks investigated were in "a dangerously defective condition." The status of the catch-basins could not be reported as many were underground. It is supposed, however, that many existed in the form of cess-pools, and it is known that the sewer drainage is very defective, although but about 50 per cent. of the houses have sewer connection. The sewer is shown to be no guarantee of proper sanitation for in many instances the worst conditions were found in houses having sewer connection. The closet facilities were inadequate and usually insanitary. The law of 1894 made the privy vault illegal, yet 40 per cent. of the population were obliged to submit to such accommodations. Of the more modern closets, the hopper was the most common type, but 89 pan closets were found in one district alone. Frequently the closets are wholly without ventilation save where they open into halls or living rooms. A worse condition, if possible, is present when we consider bathing facilities. Bathing is evidently a secondary consideration in the section investigated. Three bath tubs were found in 408 rear houses in which 3,200 persons lived. The front houses were but little better; with 21,612 occupants, only 161 bath tubs were found, 24 of these being in a recently erected apartment-house.

Following is a chapter on "Social Pathology, Diseases and Death," which reviews the statements of Dr. Devine, Amos G. Warner, and others on these topics, rather than treating Chicago conditions. Remedial efforts are considered, and needed legislation urged. It is pointed out that the main fault with the present law is that too much is left to the "discretion" of the officials. A single responsible body should be created whose duty would be to regulate tenements and control new buildings. More stringent laws as to light and ventilation are deemed a necessity and the percentage of the area of the lot that may be occupied should be further limited. To secure more direct control, tenement-houses should be licensed and the authorities authorized to demolish dangerous tenements. In closing, the need of small parks, gardens, and public baths is emphasized.

New York City.

W. R. PATTERSON.

GARDEN CITIES.

Garden Cities of To-Morrow. (Being the Second Edition of *To-Morrow: A Peaceful Path to Real Reform.*) By EBENEZER HOWARD. London, Swan, Sonnenschein & Co., 1902. 8vo, 167 pp., paper, 1s.

This little volume is intended to show the advantages of a combination of city life with country life. Mr. Howard calls his Garden City town-country. His plan may briefly be given as follows:

1. The purchase of a large agricultural estate of, say, 6,000 acres for the site.

The average price of agricultural land in 1897 was about £40 per acre. This would make the cost of the entire estate £240,000.

2. The purchase is to be effected by a joint stock company with a sufficient capital to buy the land and develop it according to the scheme laid out by Mr. Howard. The stock of the company is to bear a fixed and limited return not exceeding four or five per cent. at most, the profits above this are to be applied to local improvements and for the benefit of the community.

3. The estate is to be carefully planned by experts. Only about one-sixth of the entire estate is to be available for the town proper. The town may be built in a circular form with six great boulevards radiating from a central garden, and dividing the town into six great divisions. The avenues are arranged in concentric circles about this central, open plaza. Streets and roads will be placed at convenient intervals between the large boulevards.

4. The articles of association are to contain provisions which will enable a body of trustees representing the community to purchase the estate and improvements from the company at a par value; that is, for the £240,000 originally invested in the enterprise, plus amounts actually expended on improvements.

5. The land outside of the centrally located town proper will be strictly reserved for agricultural purposes, so that the people of the town may always enjoy the combined advantages of town and country life.

6. Manufacturers, co-operative societies and private individuals will be invited to come and establish industries of various kinds in the town. The leases granted will insure security to tenants for improvements made by them on land, but will secure to the community the increased value of the land—such increased value to be collected by the company and expended in local improvements.

7. Houses may be built by four methods: By the company, by employers of labor, by building societies, by private individuals.

8. Building lots shall never be smaller than 20 by 100 feet, but may be larger to prevent effectually any overcrowding. The population will be rigidly restricted to thirty thousand within the town proper.

The advantages of the Garden City plan are given as follows:

A.—Advantages to the community: (1) Low ground rent. The town site of 1,000 acres would cost about £40,000. Four per cent. upon this would be £1,600. This, divided by 30,000, the population of the town, would average 1s. 1d. per head. All sums paid by the tenants beyond this would be, not rent, but taxes. (2) Low taxes. The cheapness of land will ensure that all public improvements shall be made at very much less cost than can be done in large cities at present, while the improvements made will be much better because made on a larger scale. (3) Health. The advantages of town life and of country life will be combined, so ensuring the most healthful surroundings and the best medical attendance. Thus Garden City will be more healthful than even the open country districts to-day. (4) Temperance. It is Mr. Howard's idea not to prohibit the sale of beer, but to put it under the control of the community, perhaps employing all profits above four or five per cent. to provide counter attractions.

B.—Advantages to manufacturers and co-operative societies: In addition to economies in the way of lower rents and rates, manufacturers would enjoy special advantages by having railway sidings brought to their shop doors, thus doing away with terminal charges, cartage and other expenses. Motive power, light and water would be furnished more cheaply than can be done in existing municipalities. Room for expansion would be leased at nominal rates. The advantage of

participating in the movement as an advertisement for one's business is strongly emphasized by Mr. Howard. The better health and greater happiness of the laborers would also indirectly benefit the manufacturer.

C.—Advantages to working people: (1) A far better home at far less rent. (2) Saving of money, time and energy in going to and from work. (3) Milk, fruit and vegetables will be far cheaper and fresher because produced near at hand on the community's own lands, thus saving long shipments. (4) All commodities will be cheaper because the system of distribution will be far better organized, thus doing away with profits of middle men and cost of cartage. (5) The Garden City plan enables the worker to spend the time now wasted in unprofitable and unhealthy traveling to and from work in his own garden. He will be able to grow many of the vegetables consumed by his family, thus cutting down materially his grocer's bill. Not only will he thus save money expended for food, but he will be able to get healthful recreation free of cost.

D.—Advantages to private residents: Educational facilities will be far better than those enjoyed in cities at present. The parks, open spaces and surrounding country district will contribute to the health and happiness of all. There will be freedom from smoke. The town will be planned scientifically so as to give the greatest convenience and healthfulness possible.

In chapter 3 is discussed the revenue of Garden City. It is estimated that the revenue from the estate will be £64,000, of which £9,600 will go to pay interest on the purchase money and £4,400 will be devoted to the sinking fund, which will extinguish the debt in thirty years, leaving £50,000 to be used for purposes elsewhere defrayed out of rates. In chapter 5 it is shown that the net available income (£50,000) will be sufficient for carrying on all necessary public improvements on the estate. Of course, it is not supposed that these amounts will be the same in all cases. The calculations are presented merely to furnish a working basis.

The attempt is made to take all that is best from communism, socialism and individualism and combine them into one scheme. Mr. Howard says: "Communism is a most excellent principle, and all of us are communists in some degree, even those who would shudder at being told so. * * * But though communism is an excellent thing, individualism is no less excellent."

The communists and socialists are criticised because they advocate state monopoly. Garden City will allow the greatest freedom for individual initiative within certain limits. It is pointed out that the failures of social movements have been due to this attempt to destroy individual action and exalt social action. The Garden City plan has nothing new about it except the bringing together of several distinct schemes and uniting them into one. "I have taken a leaf out of the books of each type of reformer and bound them together by a thread of practicability." The scheme of the single taxers is pretty severely condemned. It is held that landlords are no worse than other people; that to attack them is eminently unfair.

The population of Garden City is limited strictly to thirty-two thousand. The question of how to prevent overcrowding naturally arises. It is proposed to establish other garden cities as soon as this limit is reached. In the concluding chapter, entitled "The Future of London," it is shown that if the Garden City plan works out successfully, it will cause a depopulation of large cities, especially London. This will bring a fall in the rents paid by the inhabitants, but there will be an almost corresponding increase in rates so that the exodus will continue until

the holders of city bonds, as well as the land holders, will be content to make terms which will enable the people to live at practically the same cost as they can live in garden cities. This will mean a large financial loss to both bond holders and land holders; but this cannot be helped. This is the only way by which London can be cleaned up and rendered habitable.

Two criticisms appear. First, the difficulty of buying land suitable for a garden city site at agricultural prices. It is perfectly evident that the amount of land available for such purposes is not unlimited. It is equally evident that if this movement attains anything like national importance, the values of rural holdings available for establishing these town-country communities will advance in price to the point where it will just be worth while for the company to buy land and to establish the community. There will be no large increments of value to go to the community, unless the land be nationalized so that speculators and present holders cannot obtain the increase. This leads us squarely into the single taxer's camp, which is the place Mr. Howard wishes to avoid. It must be admitted, however, that all movements toward municipilization are but steps in the march toward nationalization. Mr. Howard's criticism of Henry George and his followers is unjust. On page 147 he indulges in the same sort of language for which he condemns Mr. George. His scheme when properly understood is but a phase of the single tax scheme.

The second objection is the difficulty of fixing the population at any definite number. Immigration can be prevented, but increase of population by birth cannot be prohibited, and it will be difficult to export the superfluity of population to new communities. Other difficulties in putting the scheme into operation can be readily found, but on the whole the scheme seems to be one of the sanest and most practicable which has yet been advanced for the betterment of social conditions in large cities.

The Garden City Conference at Bournville. Report of Proceedings. London, Garden City Association, 77 Chancery Lane, 1901. 8vo, 80 pp., 4d.

This pamphlet contains an abridged report of the proceedings of a meeting of the Garden City Association, held at Birmingham and Bournville, on September 20 and 21, 1901, together with the papers discussed during the conference. The meeting was held in these cities to enable the delegates to study the experiment made by Mr. George Cadbury, who has moved his manufacturing plant from Birmingham into the country where rents are cheaper and conditions more favorable to the better housing of the working people. Bournville has been established, not indeed on the model of the Garden City, invented, so to speak, by Mr. Ebenezer Howard, but according to the philanthropic plans of Mr. Cadbury. The town, however, embodies so much of Mr. Howard's plan that the Garden City Association has adopted it as its own child and exhibits it as a proof of the practicability and beneficence of its plan.

The Conference was attended by about 300 delegates and others mostly from the Midlands. On the forenoon of the second day Mr. Cadbury conducted the visitors about Bournville. American readers will regret that only a very few statements, made incidentally in discussion, shed light on how the movement is being conducted or what success is being attained. It may be inferred that, in Bournville, laborers pay 5s. 6d. a week for a cottage with a garden; but whether this is above or below the usual rent for laborers' cottages elsewhere it is impossible to determine. We are told that the value of the produce raised from the

garden is equal to 2s. 6d., so that the rent for the house amounts to only 3s. It seems that the value put upon the produce is sufficiently high.

Mr. Cadbury states that, by moving into the country, his business has expanded, the number employed having increased from 300 to 3,400. He says: "I have been recompensed a hundred fold." Further discussion brought out the necessity for keeping the land purchased for the site of such a town in the possession of a trust company so that the people can not sell their holdings to speculators and other purchasers. Other points of practical importance are briefly and very unsatisfactorily reported.

The pamphlet contains, in addition to the report of proceedings, six short articles entitled "Co-operation and Garden Cities," by Ralph Neville, K. C.; "Garden Cities; Manufacturers and Labor," by Ebenezer Howard; "Public Health in Garden Cities," by W. Winslow Hall; "The Advantages of Co-operative Dwellings," by H. C. Lander; "On the Building of Houses in the Garden City," by Raymond Unwin; "Outline of Garden City Project," by Ebenezer Howard. These articles all emphasize the healthfulness and economy of living in Garden City. No one will deny the truth of either of these contentions, if the practical difficulties of moving to the new site can be successfully overcome. Mr. Howard recognizes the difficulties and attempts a solution of the knotty problem by introducing a sort of co-operation between employers and employees for mutual gain. Mr. Howard admits, however, that it will be impossible to move some industries into the country.

Among the benefits to be secured he enumerates better railway facilities, cheaper building sites, for both manufacturer and laborer, low rates, facilities to extend works, cheap water, lighting, motive power, tramways, telephones, etc., good light and air, and bringing related industries closer together. His discussion of wages of labor under the new conditions is interesting. He argues that the manufacturer will gain substantial economies apart from any possible reduction in his wage bill, while the laborer will gain substantial advantages apart from any possible increase in money wages. He concludes that the employer and laborer will come together by the laborer's consenting to a reduction in money wages, in view of the benefits he will realize in cheaper living and better surroundings, to induce the employer to undertake the risk of moving his business to a new site.

It isn't easy to imagine the English trade unions agreeing to a reduction in money wages, though perhaps the attractions of Garden City may induce them to make the concession. Certainly vegetable food which can be produced in the country will be very much cheaper, as also eggs, milk and butter. It is doubtful if the cereal grains and animal food will be much, if any, cheaper for the market price is regulated by foreign supply. Mr. Howard emphasizes the importance of the economic side of the movement, but he does not make that pre-eminent. "Garden City will not come into being except as the result of a great outburst of moral enthusiasm and human sympathy. It will not come simply as the result of cold calculations and the careful weighing of advantages, important as these factors are."

Dr. Winslow Hall's article on "Public Health in Garden Cities" gives his ideas on how to keep a city healthful. Houses should be without basements and surrounded by open ground. "Excreta proper should be disposed of by means of dry earth closets, daily collection in pails, and prompt incorporation of their contents in the living earth." Storm water and factory waste should be carried

off in open gutters. The dead should be cremated or placed in wickerwork coffins and buried at a depth of not more than six feet.

In his article on "The Advantages of Co-operative Dwellings," Mr. H. Clapham Lander sets forth the economies and the social advantages of the co-operative dwelling. He shows that much more room with much pleasanter surroundings may be enjoyed by several families joining together in one common house. Supplies can be purchased more cheaply and a great saving of fuel can be effected. Besides, the food will be better cooked and served than is possible in the isolated private family. "What is economically best is invariably morally right. Any system involving material waste stands self-condemned from the 'ethical standpoint.'"

On pages 75 and 76 is given a brief outline of the Garden City Project, and on page 77 the benefits of the scheme are briefly told. These pages present very briefly the substance of Mr. Howard's book, "Garden Cities of To-Morrow," which is reviewed in the previous pages.

New York City.

ROYAL MEEKER.

SANITARY SCIENCE.

Principles of Sanitary Science and the Public Health; with Special Reference to the Causation and Prevention of Infectious Diseases. By WILLIAM T. SEDGWICK, Ph. D., Professor of Biology and Lecturer on Sanitary Science, Massachusetts Institute of Technology. New York, The Macmillan Co., 1902. 8vo, 368 pp. Illustrated. Cloth, \$3.

The advance in the art of sanitation has been so marked during the last few years that it will doubtless surprise many people to be informed that its underlying principles have not yet been reduced to a complete system. In other words, while modern sanitary measures and results are among the marvels of the age, and while sanitation is one of the oldest of the applied arts, yet sanitary science is still in its infancy. This explains why, among so many manuals of sanitation, accompanied by numerous books on single phases of the subject, the works dealing with principles alone are so few and inadequate. Indeed, the volume before us is one of the first attempts, if not the only one thus far made, to present a treatise on sanitary science.

An idea of the author's viewpoint and method can be gained by first quoting his definitions of hygiene and sanitation and then giving some other extracts from his preface. He says:

"Hygiene is the science and art of the conservation and improvement of normal living, the prevention not merely of premature death but of abnormal life; and sanitary science, or hygiology, is simply the body of scientific doctrine, or the principles, underlying the sanitary arts."

After these definitions the author declares that it is too early "for a scientific treatise on the whole subject of hygiene, but that the 'communicable' diseases, at least in principle, are now well understood and their control easy and in a broad sense a problem of engineering, which subject has been defined as the 'scientific control and use of the forces and materials of nature for the benefit of man.'"

With the foregoing facts in view the author describes his book as an "elementary treatise," and asks his readers to remember that it "deals with the principles, rather than the arts, of sanitation."

A book with such an aim is greatly needed, both because, as already indicated, so little has been written from just that point of view, and on account of the need of instruction in sanitary principles that prevails on every hand. It is a pleasure to add that in substance, method of treatment and clear and interesting presentation of the subject the author has been eminently successful. It is particularly fortunate that the book is so thoroughly readable, because the subject appeals to a wide and varied class of people, some of whom would have been repelled by technical treatment or mediocre literary style.

It is even more fortunate that the principles laid down may be accepted as authoritative, for the questions discussed vitally concern all civilized beings, and must replace much pseudo science before sanitary work can be put on a thoroughly effective basis. It is not in the popular mind, alone, that these mistaken ideas have taken root, but in the minds of hundreds of the health officials of the country as well, upon whom the responsibility for good public sanitation depends.

The fundamental problems of public sanitation, as now constituted, being the prevention of the spread of such communicable diseases as typhoid fever, diphtheria and tuberculosis the major portion of this volume is devoted to the consideration of the dissemination and control of communicable diseases. The ten chapters on this and allied subjects are preceded by four on the general topic, "Health and Disease." In these preliminary chapters disease and death and their causes are discussed, the rise and influence of bacteriology is reviewed, and the relation between sanitation and the struggle for existence is indicated. In the second part of the book there is first a general discussion of the paths by means of which infection enters the body and the resistance offered by the latter. Next comes more specific chapters on dirt, dust, air, sewage, water, ice, milk, and uncooked foods as vehicles of infectious disease. Water and milk very properly receive the most attention. There is a chapter devoted to quarantine, vaccination, antiseptics, and the like, and such methods of food protection as refrigeration, dessication and pasteurization. The final chapter takes up disinfection and disinfectants.

One of the most valuable features of the book is an appendix "On Some Popular Beliefs as to Certain Special and Peculiar Causes of Disease." Among these fallacies, to use a stronger word than the author employs, are beliefs in so-called sewer gas as the origin of all sorts of ailments, and in consumption as an inherited disease. If this appendix directs even a small fraction of the misinformed from fancied to real dangers the book will have served a very useful purpose.

In conclusion, it should not be inferred that because Professor Sedgwick has written on the "principles, rather than the arts of sanitation," his book is not a thoroughly practical one. Aside from the fact that correct principles must precede sound practice, this book abounds in specific, although not detailed, information on the best means of securing and conserving pure water, milk and other foods, and on various other methods of controlling disease. Of course, it is expected that such a volume will go into the hands of sanitary engineers and health officers. In addition it should reach physicians, school superintendents and teachers, and should be consulted by all others who seek to inform themselves on the many and vital questions relating to the public health.

New York City.

M. N. BAKER.

CARE OF CHILDREN.

The Care of Destitute, Neglected and Delinquent Children. By HOMER FOLKS. New York, Macmillan, 1902. 8vo, 251 pp., cloth, \$1.25.

This brief history which Mr. Folks has written marks absolutely the opening of a new epoch in the literature of charity, if not of social problems in general. It is the first volume of a series detailing the experiences of American charitable, reformatory and preventive agencies in the last century, which is for practical purposes the entire history of such agencies in the United States, since the small beginnings made in the various colonies are necessarily sketched in outline in describing the conditions at the opening of the nineteenth century.

This volume differs from the literature with which we have been familiar on this and kindred subjects in that it is not in any sense a plea for particular institutions or systems. It is not a tract, nor an appeal, nor a protest, nor an argument. It is, on the contrary, a candid and impartial survey of a very complicated and diverse series of experiences, few of which have as yet been followed to their logical conclusion. The information contained in the volume could not have been obtained even by the most painstaking historian unless he were also a practical expert in the care of dependent children, nor could it have been presented clearly and with due proportion except by one who has had training in research and in the use of original material. With a sure instinct acquired by experience and training, the author has been able to use the reports of particular societies without being misled by them; he has been able to use the statistics of public officials without committing the error of exaggerating their completeness or accuracy; and, what is perhaps rarer still, to examine the statutes of various states, and to some extent the ordinances of local municipal bodies, with an eye keen for the beginnings of new tendencies and for the discovery of backward steps, as well as the inauguration of reforms.

The story of the hundred years as told in these pages is one of slow progress, and one which is far from completely satisfying a sensitive ethical conscience. Children have been left in almshouses in demoralizing contact with adult paupers long after the evil results of such a system had been perfectly obvious, and the absence of any necessity for it abundantly demonstrated. When this was remedied and institutions established, conditions were allowed to exist under which "the number of dependent children increased out of all proportion to the population." If, again, attempts were made to remedy this, it remained true that "little or no supervision was exercised over the few children placed in families, and none whatever over children returned to relatives." Legislators have experienced difficulty "in finding any satisfactory principle by which to determine" the amounts of subsidies to private institutions, and until recently have not set themselves at work very seriously to solve such difficulties.

At the same time there is a marked contrast between the conditions prevalent at the opening of the nineteenth century and the tendencies discernible at its close. As to destitute children, the situation at the opening of the century is summed up in the statement that children who were public charges were, as a rule, cared for with adult paupers by the contract system, or in almshouses, or by outdoor relief, or were bound out as apprentices. There was one city, Charleston, S. C., which had a municipal orphan asylum, and there were six cities, of which New York was one, in which there were private institutions for children. There were few provisions in the statutes of the time for the rescue and care of neg-

lected children. The class of children who are now forcibly removed from the control of unfit parents apparently remained with their families, as a rule, until the latter became destitute, when the children were cared for as pauper children, or until the fruits of neglect were reaped and the children, convicted of offences, were sent to jails and penitentiaries along with older offenders.

During the early part of the last quarter of the century, children's institutions multiplied rapidly in all parts of the country. Where large institutions, especially state institutions, have been established for the care of children permanently separated from their parents, the private charities have gradually turned their attention to the temporary care of children, or to the care of some special class of children not fully provided for by the public institutions, or to the development of some special means of instruction, emphasizing their educational rather than their charitable features. There has been a great development of the system of placing children out in families, not limited to free homes, but extended to the boarding of children for whom satisfactory free homes were not available.

The boarding out or placing out of mothers with small children, the establishment of strict state supervision over placing out agencies, the introduction of a probation system in the treatment of juvenile delinquents, and the creation of a children's court separate from ordinary criminal courts for the examination of charges against children, the substitution of the cottage for the congregate or barrack system in institutions for children, and the development of industrial education, are among the recent progressive features in the care of dependent and delinquent children. The author concludes his survey with the declaration that there is ground for a rational optimism in the fact that more and more thought is added to kindness, and that as surely as experience and study bring fresh truths to light, so surely does the intelligent sentiment of the community, sooner or later, compel their adoption.

Attention should be called to the large amount of carefully digested information contained in Mr. Folk's book, brief as it is. In fact, in one part of the book or another the policy and present system of every state in the Union in dealing with dependent children is described. For example, there is a complete list of the juvenile reformatories with the date of their establishment. Four of those given in the list were established in 1901, while the oldest one that is still in existence, the House of Refuge on Randall's Island, New York city, was opened in 1824. Another example of the information which is enlightening and which may safely be used as a basis for forming a judgment upon the policy of the state is the fact that in California the increase in the number of children supported by the state from 1890 to 1900 was 51.4 per cent., while the increase in the population of the state was 22.9. This has an obvious bearing upon the subsidy system in force in that state and in New York. The movement of institutional population in New York is analyzed with care and its lessons set forth.

Concerning the present contest between the system of direct state care and the subsidy or contract system, the author puts the question, which he says is now being decided, as follows:

"Shall our state administrations be intrusted with the management of a system for the care and training of destitute children, or is it wiser to turn that branch of public service over to private charitable corporations, leaving to public officials the functions of paying the bills, and of exercising such supervision of the plan as may be possible?"

And upon the question thus formulated, he makes the following conservative statement:

"Each of these plans finds new advocates and wider adoption yearly. Strongly contrasted in spirit and method, and, in any one state, almost mutually exclusive, it seems probable that one plan or the other will, by a process of gradual selection, gain the ascendancy, and become distinctly, though probably not exclusively, the American system of public care of destitute and neglected children. Which it shall be only the twentieth century can tell. Each plan is yet susceptible of much improvement, each has powerful advocates, and each has behind it some of the most influential factors in American social and political life."

New York City.

EDWARD T. DEVINE.

GOVERNMENT OR HUMAN EVOLUTION.

Government or Human Evolution. By EDMOND KELLY. Two volumes: I, "Justice"; II, "Individualism and Collectivism." New York and London, Longmans, Green & Co., 1900, 1901. 8vo, 360 and 608 pp. Cl. \$2.50 each.

The best comment upon these two volumes is simply, "Read them"—for this work is *worth* reading even in these days of over-supply of books and periodicals. Whatever we may think of the general problems of politics and social effort or the particular problems of municipal affairs and civic reform, Mr. Kelly's volumes are worthy of undivided attention. The author's experience in New York City in connection with the organization of the City Club and the subsequent campaigns for municipal reform, suggested to him that most of us who take an active interest in public affairs as reformers are quite unintelligent as to the basic principles of political action and very much at a loss to know what we ought to aim at as the ultimate end of civic effort. Hence it becomes necessary to get "clear ideas as to what nature is," in order to be able "to decide whether a city should own its own gas plant." The still lurking heresy of "natural law" and "natural rights," so long a worker of confusion in the theory and practice of politics, is so ably and startlingly overthrown by Mr. Kelly that the reader is shocked to find himself till now a practical follower of absurd and unwholesome teachings. "Natural law" is shown by Mr. Kelly to be reasonably capable of meaning only one thing, viz., the law of nature, which is the "survival of the fittest" under any particular environment. Nature, with ruthless prodigality and unimaginable cruelty, produces myriads to struggle and perish in order that the few best fitted to the given environment may survive. Liberty, equality, and fraternity, so far from being inherent in "natural" conditions, are the antonyms of nature's methods. She knows nothing but subjection, inequality and hatred. Consequently, the term "*natural rights*" is absolutely meaningless and contradictory—nature knows no right.

Mr. Kelly is a firm believer in the doctrine that man has by conscious effort greatly modified the course of evolution and that with increasing wisdom he may to a very large extent take his destiny into his own hands. The way in which man overcomes nature is not by overthrowing natural law, but by modifying his environment so that it will be conducive to the survival of a nobler type than is the case where natural evolution is unaided by human effort. Man has largely put an end to the dominion of sheer strength, and protects the weak and the slow from the destruction that nature would inflict as the penalty of weakness and slow-

ness. The new environment that man has created for himself favors the development of craft rather than of physical strength or swiftness, and wealth rather than health. The struggle going on under this new regime is only less cruel and revolting than nature's gladiatorial show. The world is full of inequality, misery, and hatred under the stress of competition for wealth. It is by the creation of rights that man strives to overcome natural conditions. Liberty is not man's heritage from a state of nature, but the good which he is striving to attain by eternal vigilance and ceaseless effort. The competitive struggle for wealth works out in practice to deny most men the opportunity to attain freedom, because a sufficient subsistence to make life itself tolerable is all that the majority can get by their utmost effort. Natural inequalities have not yet been overcome by human effort to a sufficient extent to satisfy the ideals of religion and the ordinary aspirations of benevolent men. Justice, Mr. Kelly concludes, is *"the effort to eliminate from our social conditions the effects of the inequalities of Nature upon the happiness and advancement of man, and particularly to create an artificial environment which shall serve the individual as well as the race, and tend to perpetuate noble types rather than those which are base."*

In his second volume the author discusses individualism and collectivism as the two opposing theories of the method for the attainment of justice. Individualism has made use of private property as its principal instrument. Competition for wealth under the protection of the State is the life of individualism. Mr. Kelly's discussion of the social results of private property is particularly interesting. Poverty, militarism and corruption are charged to the account of private property. The immense waste that is going on in connection with the consumption of food in cities—an important element in general impoverishment—is pointedly illustrated by a reference to New York. "In New York State," says the author, "may be witnessed the extraordinary spectacle of a soil daily robbed of its essential elements; these essential elements hurried by human industry to the sea, and restored in part to the land through the importation of guano from South America, where the excreta of birds are quarried and transported over thousands of miles by water and by land under a system which combines incomparable cost with lamentable prodigality."

"Our treatment of the waste of population," Mr. Kelly adds, "is even more unintelligent than our treatment of the waste of food; and, indeed, although we allow the latter to carry off to sea the most precious ingredients of our soil, we do at any rate get rid of its corruption for the most part; but the former—this waste of population which consists of men and women like ourselves—we collect in vast reservoirs which we call institutions, and which, because they never can be large enough permanently to hold the ever-increasing accumulations of urban waste, are forever overflowing and pouring back upon our already teeming cities the poison that for the most part leaves its prison more poisonous than before."

As to the effect of private property upon militarism, Mr. Kelly cites the case of England, "where the industrial system has reached its most perfect development" and "production outstrips purchasing power so rapidly that it is only by conquest that she can keep her factories open, and we therefore find Great Britain driven by an irresistible force to the conquest and colonization of all those parts of the world where she can force her goods on the people or edge the people out. But although we have not as yet been driven by over-production to war, the day has at last come when the same conditions which have driven England to aggression are urging us also."

Corruption in politics, too, is charged against the competitive system. "The reason why reform movements so often fail, and even when they succeed do not result in permanent improvement, is that they always run up at last against some private interest. In the campaign of 1897 in New York the Citizens' Union, which represented the reform movement, adopted a platform which included the ownership by the city of its own franchises. While this campaign was in progress it was discovered that opportunity had arisen which permitted the city to repurchase one of the franchises which had been granted many years ago for an insufficient consideration. Proceedings in court were instituted to this end; and the Citizens' Union was amazed there to find the most distinguished reformers in New York City appear as counsel for the defendant company, thereby opposing the movement fathered by the very reform organization of which these distinguished counsel were supposed to be the principal props. When asked how they reconciled their attitude as counsel, they answered that litigation was business, not politics."

The author's discussion of collectivism takes up almost 300 pages, and an elaborate review of the general relations of life under that system, as he conceives it, is given. This description of conditions under collectivism has been described as "extremely fanciful" and a "Utopian dream." Without challenging this criticism of Mr. Kelly, it might be well to suggest that life to-day in a city like New York is by turns a nightmare and a voluptuous dream, and such life is not calculated to make Mr. Kelly's collectivist dreams any the less interesting. Something big is coming without a doubt. Mr. Herbert Spencer, whose individualist philosophy Mr. Kelly believes to be the essence of un wisdom, looks forward to an experiment in socialism as almost inevitable. Every thinker who watches the signs of these kaleidoscopic times must be convinced that momentous changes in the social order are likely to come. Mr. Kelly believes in the principle of collectivism—coöperation as opposed to competition—and urges that we should take hold of the problem with a firm hand and usher in the new era gradually rather than stubbornly resist it till the flood overwhelms us. Municipal ownership of public utilities wherever conditions are at all favorable might be the first step in a practical collectivist program. Human nature must be changed, Mr. Kelly admits, before collectivism in any advanced form will be practicable. But what of that? What is all our striving for, our religious, and moral ideals, and education, and social effort, if not to change human nature and transform men from cruel, lustful, enslaved beings into an estate of brotherhood and freedom? Mr. Kelly's collectivism is promulgated in the interest of that type of manhood enjoined by the religion of Christ, and which is next to impossible under the conditions furnished by the competitive systems.

These volumes are written in a lucid and vivacious style and are of universal interest to thinking men and women. They will undoubtedly be of great service to every reader who realizes that he must line up for the battle royal that is coming between competition and coöperation.

Elk Rapids, Mich.

DELOS F. WILCOX.

PRIMARY SYSTEMS.

Nominating Systems: Direct Primaries versus Conventions in the United States.
By ERNST CHRISTOPHER MEYER. Madison, Wis. Published by the author,
1902. 8vo, 501 pp. Cloth, \$1.50.

In recent years public attention has come to be focussed more closely than ever before upon the methods of nomination for elective office; it has been felt that a beginning must be made here before a host of other desirable changes in our political system can be introduced. The fundamental problem which confronts all publicists is how to make our system of political representation truly representative. We have rescued our government from the private ownership of the hereditary monarch, the next step is to redeem it from the private ownership of the political merchant. To render candidates for office representative of the people, we must above all things enlist the people in our nominating system.

Mr. Meyer's work, as its sub-title implies, is not an exhaustive study of all the various methods of nomination in the United States, but is intended primarily as an investigation of the plan of nomination by direct popular vote. The direct primary movement seems to have had its origin in 1868, in Crawford County, Pennsylvania, where the Republican party adopted the popular vote instead of the convention as a means of choosing its candidates. The system was practiced in a modified form in other counties of the state, but did not spread to other states for several years. In the decade from 1880 to 1890 interest in the subject grew stronger, and various state laws were passed which, however, had only an optional application, except in the city of St. Louis. From this time on the movement spread throughout the country, reaching a climax in 1901, when bills were introduced in nineteen legislatures. Of these only a few were passed, the most advanced law being adopted in Minnesota, where all local, county, congressional and legislative candidates are required by law to be nominated directly. This Minnesota act was passed in consequence of the highly successful operation of the system as previously applied to Hennepin County (including Minneapolis). It is perhaps unsafe to judge of the system by one or two elections in Minnesota, but the results thus far have surpassed the expectations of the most sanguine. An unprecedented proportion of voters has attended the primaries, candidates of high ability and character have been chosen and the ensuing elections have naturally proven satisfactory.

Various modifications of the direct primary have been adopted in different states. In some, any person who is qualified to vote at the election is allowed to take part in the primary of either party, although not of both (the open primary); in others a voter must declare under oath that he has supported the candidates of the party at the last election or will do so at the ensuing election (closed or party primary). In some states the candidates announce their candidacy after payment of a fee and presentation of a petition signed by a certain number of voters; in others a petition only is required; in still others the payment of a fee is sufficient. But in all cases the general principle is the same; the people act directly in determining who shall be the final candidates of the party.

An interesting question has arisen in connection with the method of constructing the platform under the direct primary system. Various suggestions have been made, one being that a special platform convention be held for this purpose, or that the central party committee be entrusted with the power, but Mr. Meyer rightly argues that the candidates themselves are the proper persons to perform this function. They are to carry out the platform, they have the confidence of the party, and therefore they should draw up its statement of principles.

The objections urged against popular nominations are numerous and deserving of careful consideration. It is said that the system will result in such a large number of persons announcing themselves as candidates that the party vote will

be greatly split up and the victorious candidate for the nomination will not represent a majority of the party. The facts of experience, however, show only a slight increase in the number of candidates for the nomination, while the immense increase in the number of voters participating in the primaries makes the candidate chosen much more representative of the masses of the party. Other more or less theoretical objections are that corporation influence will be exerted at the polls, that there may be a geographical concentration of candidates, that the city may dominate the rural districts, and that the press may be led to an abuse of its powers. These objections are interesting more from the speculative than from the practical standpoint.

There is one, however, which merits much reflection; the machine, it is said, will still have the power to form a slate, there will still be the same temptation to organize a ring of desperate heelers who will "count in" or "count out" the candidates at will, so that the direct primary will simply have removed the corrupt procedure a step farther back. To this it may well be answered that the great weakness of the convention system lies in the fact that it is indirect. When the party voter knows that his ballot for a candidate acts directly on the nomination of that candidate without the agency of any third person as delegate to a convention, the voter is strongly impelled to take part in the primary; and once the interest of a large number of party adherents is enlisted in the primaries, an accurate, honest count will be much more easily obtained. This reasoning concerning the interest of party adherents is borne out in the practical tests of the new system which have thus far been made. Political bosses have always existed and will probably continue, but the great evils of boss rule have arisen mainly from the indirect nature of political activity, which removes action from the voter's control and places all real power in the hands of an irresponsible leader.

As regards style, the book leaves much to be desired; the author has indulged in some repetition of statement, and, perhaps from the nature of the subject matter, has displayed a tendency to "harp on one string." The work is also much longer than seems necessary, and several needless chapters on various political reforms have apparently been added as an afterthought. In the main, however, the material is admirably arranged, and Mr. Meyer is to be congratulated upon having written a book of great value as well as having published it at the moment when it should do the most good.

University of Pennsylvania.

JAMES T. YOUNG.

MUNICIPAL ADMINISTRATION.

Municipal Administration. By JOHN A. FAIRLIE, Ph. D. New York, Macmillan Co., 1901. 8vo, 448 pp. Cloth, \$3.

This book is an extended treatment of a subject which is usually passed over with limited notice by writers upon government; it merits, therefore, careful examination both as to the method of treatment and the material incorporated.

Four main divisions are made: Part I.—Municipal History, is a survey of cities and municipal governments from the time of Thebes, Babylon and Nineveh to the close of the nineteenth century. Part II.—Municipal Activities, is a detailed enumeration of the functions of municipal governments, including not only those activities which cities perform as ministering to local needs, but also those where they act as agents of higher governing bodies. Part III.—Municipal Finances, contains chapters upon expenditure, debt, income and finance adminis-



BOOK REVIEWS.

tration. Part IV.—Municipal Organization, discusses the council, administrative officials, the mayor and proposed plans of municipal organization.

The relative space allotted the various Parts will probably strike many as open to criticism. Municipal History covers 120 pages; Municipal Activities, 189 pages; Municipal Finances, 55 pages, and Municipal Organization, 57 pages. Heretofore, the literature upon municipal affairs has largely been devoted to the organization of city governments, especially in the United States, where the importance of these problems has so greatly been magnified. Doubtless Dr. Fairlie is upon the right track, but to devote more than twice as much space to municipal history as to governmental organization, is the other extreme. Of course, the amount of space is not always indicative of the importance which the author attaches to the subject, but upon analyzing Parts I. and IV., it is clearly evident that Dr. Fairlie has incorporated a much larger number of minor matters in Part I. than in Part IV., and that in the former he has searched carefully the highways and byways, whereas in the latter he has omitted many things we have been considering as very important. For instance, the German cities of the Middle Ages are given four full pages, containing such facts as the following (p. 27): "The South German cities were ranged in three tiers. Farthest to the south were the Alpine towns, Berne, Basel, Zurich, Constance, Innsbruck, where, besides the carrying trade, there was a thriving linen manufacture, and Salzburg, the great source of salt." But the present "three-class" system of electing the city council of almost all German and Austrian cities is dispatched in a single brief sentence, yet Japan, after investigating the various systems of Europe and the United States, considered it so excellent as to warrant incorporation, almost bodily, into its municipal code. In the reviewer's opinion, the book would appear more balanced if Part I. and Part II. had been condensed considerably.

This leads us to what appears to be the chief criticism of the work, the tendency throughout to magnify the importance of single facts, the omission of general principles and the failure clearly to point out the trend of municipal development. The work contains many pages of statistics regarding minor matters. Opening at random, one reads of the number of square yards of asphalt pavement in Paris in 1878, the height of chimneys of refuse destructors in certain English towns, the diameter of cables on the Brooklyn bridge, the number of rooms disinfected by the Boston Board of Health (year not given), and the substitution of formaldehyde for sulphurous acid as a disinfectant within the last three years, etc., etc. Undoubtedly these facts are of value to certain persons, and no one questions their usefulness under certain conditions, but they belong in statistical year books, cyclopedias, compendiums and almanacs rather than in a general work upon "Municipal Administration." If the author had made generous use of small type, foot notes, subheads and appendices, he would have greatly improved the value and interest of the book and largely facilitated frequent use. But as it is, the least important facts and statistics are so sandwiched in among the general statements that the reading of the book becomes a task.

To illustrate, take the chapters upon Municipal History. It is quite evident that they contain a large amount of the data necessary to show the various stages through which the city has developed from the fortified castle with its fringe of dwellings to the congested centers of industry, commerce and social activities of the present day, the change from the city-state to the municipality as a local political unit, etc.; but the reader is left to work out this process of development himself. It is the lumber, the stone, the mortar, the hardware, that one finds

rather than the completed dwelling. The chapter upon municipal development in the United States shows that an effort has here been made to arrange the facts, to work out the general trend and to get at the fundamental principles, and one is forced to regret that this method and spirit has not been carried much further throughout the book and perfected in this chapter.

It may be that Dr. Fairlie has correctly interpreted "Municipal Administration," and that, as another author has recently defined it, "administration deals with the details of government," but the reviewer is very loath to believe that the definition is correct. If administration is thus correctly defined, and if the ideal book on the subject should be crowded with minor and unimportant details, there is evidently no such thing as a science of administration, and it is an unattractive, barren, desolate field, one that will be shunned very generally. But the administration of cities—properly interpreted—is one of the most interesting fields of political and social science. The interests involved are vast, the forces tremendous and the welfare of the nation is bound up therein.

Perhaps the fault is with Dr. Fairlie's point of view, but one cannot resist the feeling that the value of the book would have been greatly increased if more attention had been paid to the social and economic problems of cities. Such vital questions as housing, municipal operation of public utilities, methods of granting franchises and many others of a similar character are either passed by with scant mention or so briefly discussed as to be of no use to the reader. In a book of 448 pages, certainly they deserve fairly complete treatment.

It should not be inferred from these criticisms that the book does not have many good points. There is a vast amount of information. It is full of statistical data upon a large number of municipal matters. These have been gleaned from a large number of sources—sometimes without proper credit, which does an injustice to the original investigators—but the collection nearly always reflects good judgment as to the sources selected. The book is an important contribution, but one must confess that as a general work, for the general reader who wishes to get at the fundamental principles of city government, it is lacking.

New York City.

MILO R. MALTBIE.

MUNICIPAL COLLECTIVISM.

To-Day's Work: Municipal Government the Hope of Democracy. By GEORGE HAW. London, The Clarion Newspaper Co., 1901. 12mo, 240 pp., cloth, 2s. 6d.

As the name implies, this volume is a plea for a wider field of activity for the local civic community. The author has written with English conditions in view. The style is interesting and holds the attention of the reader; but there is a lack of thoroughness in the subject matter which gives an unsatisfactory impression in some places.

Parliament comes in for more than its fair share of condemnation. In the first chapter we are told that a new dictator is needed to turn the quarrelling members of Parliament out of doors and thus put an end to their bickerings. Parliament can not do anything for the people. The only hope of democracy is in the local government. To the objection that the people are not yet fitted to assume the additional burdens and responsibilities which would be forced upon them, the answer is made that, with the "right spirit of democracy," all is possible. This "right spirit," it is explained, consists in restraint, not liberty. We

can only regret that we are left to guess how this much to be desired "right spirit" is to be obtained and introduced into general use.

The work of the municipality is made to include every species of reform known to reformers. In the author's view, everything done in the name of the municipality is wholly good, while everything done in the name of private enterprise is bad. Many American readers will not accept these dicta for application here without question. It is doubtful whether American cities should venture very far into the field of municipal ownership until they have shown some capacity to exercise the ordinary police powers in preserving order and protecting the most ordinary rights of property.

Many excellent reforms are advocated, but no new theory is advanced. The book is almost wholly an attempt to show the benefits that have come and will come through the municipalization of various functions in the towns of Great Britain. While the text and statistics given are far from being impartial, yet the case for social control of certain functions is defended with vigor and skill. The necessity for municipal ownership of land is advocated on the ground that land is as much a necessity as water and air, and should be as free. "The best economy is not private enterprise, but public enterprise." "The true municipality should be as a father to its people." The participation of women in the local government is regarded as a natural right; and examples are cited to show how such participation has already worked great benefits. But female suffrage is not an end in itself. Benefits have resulted, not merely because women have voted, but because their votes were cast for "municipalization." This is why women should be allowed to take part in government. The cure for all social ills is to "municipalize." Problems that are distracting reformers in this country are solved with the utmost ease by that simple formula. There is no difficulty too great, no affliction too minute for this universal panacea. Some of the things advocated are to provide municipal milk, municipal banks, pawnshops, coal, public houses, beer, clubs, music, theatres, and, finally, municipal palaces.

There is lack of scientific method in the book which detracts from its value as a contribution to the literature of city administration.

R. M.

LONDON.

London Afternoons. Chapters on the Social Life, Architecture, and Records of the Great City and Its Neighborhood. By W. J. LOFTIE, B. A., F. S. A., F. Z. S. London, Cassell & Co., 1902. (Brentano's, New York.) 8vo, 292 pp. Cl. \$2.00 net.

This book is a charming mixture of history, description and narrative, treating of the great City of London as it was in ancient times and as it now is, with striking glimpses of the life and habits of the people. In the opening chapter the author describes the aspect of London five centuries ago. Then follows a chapter on "London Life in the Fourteenth Century." The pestilential surroundings, the overcrowding, the unsanitary habits of the people and the barbarous state of the medical and surgical professions are described and shown to be the cause of the terrible plagues which so frequently desolated the city. The contrast with the present day is indeed striking. In every respect except one there has been a marvellous improvement. The smoke nuisance was unknown then, "so that the 'dresses of all ranks of people were much gayer than they are now.'" It remains for the present day to abate this evil attending modern industrial development.

There is much in these pen sketches of medieval London to encourage the reformer. Great progress has been made for social betterment in all directions; most of all in the education and refinement of the people themselves.

Nearly the entire volume is taken up with the description and history of particular spots of interest in the environs of London. The reader is able to follow the slow but continuous progress toward a more aesthetic and healthful municipality. The illustrations show a few of the improvements in architecture and setting.

Concerning the social life and organization of the people, the chapter on "The City Companies" is full of interest and suggestion. The distinction between the old Guilds and the Companies is carefully drawn, and many useful facts relating to the formation and history of these organizations are given. Reference is made to many old and valuable manuscripts shedding light upon the early history of London. The volume will be read with profit by those interested in the historic landmarks of the great metropolis.

OLD NEW YORK DOWNTOWN.

Old New York Downtown. Published by the Broun-Green Company, 40 Beaver Street, New York, 1902. Price, \$1.00. Pamphlet, 60 pages.

This pamphlet is intended to give in condensed form interesting facts concerning the history and development of New York below City Hall Park. "Incidentally, also, this publication is intended to serve as a specimen of the "typographical ability of the establishment numbered 40 on Beaver Street where "has been located for many years the Broun-Green Company, printers and "stationers." Much that is interesting and instructive is contained in this little booklet. The typographical work is excellent. The style of the author could be improved. Several mistakes have escaped the eye of the author, as on page 28, where we are told that the Federal Hall was the national capitol late in the nineteenth century—an historical anachronism more ludicrous than damaging. The compilation shows the marks of haste, but much information that is unknown to the majority of busy New Yorkers is given.

BIBLIOGRAPHY.

AMERICAN AND BRITISH PERIODICALS.

American Architect, Boston.....	Am. Arch.
American Ecclesiastical Review, New York.....	Am. Ecc. R.
American Electrician, New York.....	Am. Elec.
American Federationist, Washington.....	Am. Fed.
American Gas Light Journal, New York.....	Am. G. L. J.
American Historical Review, New York.....	Am. Hist. R.
American Journal of Sociology, Chicago.....	Am. J. Sociol.
American Law Review, St. Louis, Mo.....	Am. L. R.
American Monthly Review of Reviews, New York.....	Am. R. of Rs.
American Statistical Association Publications, Boston.....	Am. Statist.
Annals of the American Academy, Philadelphia.....	Ann. Pol. Sci.
Architect, London.....	Arch.
Architects' and Builders' Magazine, New York.....	Arch. & B. M.
Architectural Record, New York.....	Arch. Rec.
Architectural Review, Boston.....	Arch. R.
Arena, Boston.....	Arena.
Atlantic Monthly, Boston.....	Atlan.
Bibliotheca Sacra, Oberlin, O.....	Bib. Sacra.
Blackwood's Magazine, Edinburgh.....	Blackw.
British Architect, London.....	Br. Arch.
Builder, London.....	Builder.
Bulletin of the Department of Labor, Washington.....	B. Dept. Labor.
California Municipalities.....	Cal. Mun.
Canadian Architect, Toronto.....	Can. Arch.
Canadian Electrical News, Toronto.....	Can. Elec. N.
Canadian Engineer, Montreal.....	Can. Eng.
Canadian Magazine, Toronto.....	Canadian M.
Cassell's Family Magazine, London.....	Cassell's.
Cassier's Magazine, New York.....	Cassier's.
Century, New York.....	Cent.
Chamber's Journal, Edinburgh.....	Chamber's.
Charities, New York.....	Char.
Charity Organization Review, London.....	Char. Or. R.
Chautauquan, Meadville, Pa.....	Chaut.
City and State, Philadelphia.....	City & State.
Commons, The, Chicago.....	Commons.
Consular Reports, Washington.....	Cons. Rep.
Contemporary Review, London.....	Contemp.
Cornhill Magazine, London.....	Cornhill.
Cosmopolitan, New York.....	Cosmopol.
Dial, Chicago.....	Dial.
Dublin Review, London.....	Dub. R.
Economic Journal, London.....	Econ. J.
Economic Review, London.....	Econ. R.
Economist, Chicago.....	Economist.
Edinburgh Review, Edinburgh.....	Ed. R.
Education, Boston.....	Educa.
Educational Review, New York.....	Educa. R.
Electrical Engineer, London.....	Elec. Eng. (L.)
Electrical Engineering, Chicago.....	Elec. Engng.
Electrical Review, New York.....	Elec. R.
Electrical World and Electrical Engineer, New York.....	Elec. W. & E.
Electrician, London.....	Elec'n.
Electricity, London.....	Elec'y (L.)

Engineer, The, London.....	Eng.
Engineering, London.....	Engng.
Engineering Magazine, New York.....	Engng. M.
Engineering News, New York.....	Engng. N.
Engineering Record, New York.....	Engng. Rec.
English Historical Review, London.....	Eng. Hist. R.
Everybody's Magazine.....	Everybody's.
Fire and Water, New York.....	Fire & W.
Fortnightly Review, London.....	Fortn.
Forum, New York.....	Forum.
Gas World, London.....	Gas W.
Good Government.....	Good Govt.
Guntton's Magazine, New York.....	Guntton's.
Harper's Magazine, New York.....	Harper's M.
Harper's Weekly, New York.....	Harpr's Wkly.
Independent, New York.....	Ind.
International Review, New York.....	Internat. R.
Johns Hopkins University Studies, Baltimore.....	J. H. Univ. Studies.
Journal of the Association of Engineering Societies, Philadelphia.....	J. Engng. Soc.
Journal of the Department of Labor, Wellington.....	J. Dept. Labor.
Journal of the Franklin Institute, Philadelphia.....	J. Frankl. Inst.
Journal of Gas Lighting, London.....	J. G. L.
Journal of the New England Water Works Assn., New London, Conn.....	J. N. E. W. W. A.
Journal of Political Economy, Chicago.....	J. P. E.
Journal of the Royal Statistical Society, London.....	J. S. Stat. Soc.
Journal of the Sanitary Institute.....	J. San. Inst.
Journal of the Society of Arts, London.....	J. Soc. Arts.
Journal of the Western Society of Engineers, Chicago.....	J. W. Soc. Eng.
Labor Bulletin of Massachusetts, Boston.....	Labor Bulletin, Mass.
Law Magazine and Review, London.....	Law M. & R.
Leslie's Weekly, New York.....	Leslie's.
Library Journal, New York.....	Lib. J.
Lippincott's Magazine, Philadelphia.....	Lippinc.
Longman's Magazine, London.....	Longm.
Macmillan's Magazine, London.....	Macmil.
McClure's Magazine, New York.....	McClure's.
Merchants' Association Review, San Francisco, Cal.....	Mchts. A. R.
Municipal Engineering, Indianapolis, Ind.....	Mun. Engng.
Municipal Journal, London.....	Mun. J.
Municipal Journal and Engineer, New York.....	Mun. J. & E.
Municipal World, St. Thomas, Ont.....	Mun. World.
Municipality, Madison, Wis.....	Mun.
Munsey's Magazine, New York.....	Munsey's.
Nation, New York.....	Nation.
National Review, London.....	National R.
New Century Review, London.....	New Cent. R.
New England Magazine, New York.....	New Eng. M.
New Review, London.....	New R.
Nineteenth Century, London.....	19th Cent.
North American Review, New York.....	No. Am.
Outlook, New York.....	Outlook.
Overland Monthly, San Francisco.....	Overland.
Park and Cemetery, Chicago.....	Park & Cem.
Political Science Quarterly, New York.....	P. S. Q.
Popular Science Monthly, New York.....	Pop. Sci. Mo.
Proceedings of the Engineers' Club, Philadelphia.....	Pro. Eng. C.
Progressive Age, New York.....	Prog. Age.
Public Policy.....	Pub. Policy.
Quarterly Journal of Economics, Cambridge, Mass.....	Q. J. E.
Quarterly Review, London.....	Quar. R.
Real Estate Record and Guide, New York.....	Real Est. R. & G.

Review of Reviews, London.....	R. of Rs. (Eng.)
Sanitarian, Brooklyn.....	Sanitarian.
Sanitary Journal, Glasgow.....	San. J.
Sanitary Record, London.....	San. Rec.
Scientific American, New York.....	Sci. Am.
Scottish Review, London.....	Scottish R.
Scribner's Magazine, New York.....	Scribner's.
Street Railway Journal, New York.....	St. Ry. J.
Street Railway Review, Chicago.....	St. Ry. R.
Surveyor and Municipal and County Engineer, London.....	Surveyor.
Tramway and Railway World.....	Ty. & Ry. W.
Transactions of the American Institute of Electrical Engineers, New York.....	Trans. Elec. Eng.
Transactions of the American Society of Civil Engineers.....	Trans. Civ. Eng.
Westminster Review, London.....	Westm.
Yale Review, New Haven, Conn.....	Yale R.

FOREIGN PERIODICALS.

Allgemeines Statistisches Archiv, Tübingen.....	All. Stat. Ar.
Annales d'Hygiène Publique, Paris.....	Ann. d'Hyg. Pub.
Annales des Sciences Politiques, Paris.....	Ann. Sci. Pol.
Archiv für Soziale Gesetzgebung und Statistik, Berlin.....	Ar. Soz. Gesetz. Stat.
Deutsche Bauzeitung, Berlin.....	Deut. Bau.
Deutsche Revue, Stuttgart.....	Deut. R.
Deutsche Rundschau, Berlin.....	Deut. Rund.
Devenir Social, Paris.....	Dev. Soc.
Elektrotechnische Zeitschrift, Berlin.....	Elek. Zeit.
Espana Moderna, Madrid.....	Esp. Mod.
Finanz-Archiv, Stuttgart.....	Finanz-Ar.
Génie Civil, Paris.....	Génie Civil.
Gesundheits-Ingenieur, Munich.....	Gesund-Ing.
Giornale degli Economisti, Roma.....	G. Econ.
Historische Vierteljahrschrift, Leipzig.....	Hist. Vier.
Historisches Zeitschrift, Munich and Leipzig.....	Hist. Zeit.
Historisches Jahrbuch, Munich.....	Hist. Jr.
Jahrbuch für Gesetzgebung Verwaltung und Volkswirtschaft in Deutscher Reich, Leipzig.....	J. Gesetz. Ver. Volks.
Jahrbücher für Nationalökonomie und Statistik, Jena.....	Jr. Nat. Stat.
Journal des Economistes, Paris.....	J. Economistes.
Nouvelle Revue, Paris.....	Nouvelle R.
Nuova Antologia, Rome.....	Nuova Ant.
Reforma Sociale, Turin.....	Reforma Soc.
Réforme Sociale, Paris.....	Ref. Soc.
Revue de Deux Mondes, Paris.....	R. Mondes.
Revue d'Economie Politique, Paris.....	R. Econ. Pol.
Revue Internationale de Sociologie, Paris.....	R. Int. Sociol.
Revue de Paris, Paris.....	R. Paris.
Revue Politique et Parlementaire, Paris.....	R. Pol. e. Par.
Revue des Revues, Paris.....	R. Revs.
Revue Scientifique, Paris.....	R. Sci.
Revue Socialiste, Paris.....	R. Soc.
Revue Technique, Paris.....	R. Technique.
Rivista Internacional, Madrid.....	Riv. Inter.
Rivista Italiana di Sociologia, Roma.....	Riv. It. Sociol.
Schweizerische Bauzeitung, Zürich.....	Schweiz. Bau.
Scienza Sociale, Milan.....	Sci. Soc.
Vierteljahrschrift für Staats- und Volkswirtschaft, Leipzig.....	Vier. Staats. Volks.
Zeitschrift für Oesterreichischen Ingenieur- und Architekten-Vereine, Vienna.....	Zeit. Ing.-Arch.-Ver.
Zeitschrift für Socialwissenschaft, Berlin.....	Zeit. Socialw.
Zeitschrift für Volkswirtschaft, Socialpolitik und Verwaltung Vienna.....	Zeit. Volks. Soc. u. Ver.

The following subject index is intended to continue the work begun in the first number of **MUNICIPAL AFFAIRS**. The March, 1901, issue was entirely devoted to "A Bibliography of Municipal Problems and City Conditions," which contained all of the indices previously published, revised, rearranged and made complete to January 1, 1901. So far as possible, all books, pamphlets, reports and magazine articles of interest to students of city government which have appeared in the last three months—March to June, 1902—are included in the following list. Future numbers will contain similar indices for each preceding quarter.

In the arrangement of the references, the following plan has been adopted: All relating to any one city have been grouped under that city. Thus, references on Sewage Disposal in Berlin are found under **Berlin**, subhead Sewage Disposal. The same is true as to countries. The references to Water Supplies in the United States, for instance, are under **United States**, subhead Water Works. In each case, cross references to the city and country have been placed under the main topic. Thus, for example, immediately following the head **Lighting**, there is a list of the cities and countries under which is found additional material on Lighting, but which is not general in character, relating only to the city or country referred to.

Upon classifying the material according to this plan, a small number of unclassifiable titles are found which resist every device of the bibliographer's art; titles referring neither to any particular city, nor country, nor single topic. These, together with the important general works, have been given special prominence by being grouped at the beginning of the Index under the rubric **City Government, General and Unclassified**. A similar plan has been followed in each country and city.

City Government and General Works.

"Democracy and Social Ethics." Addams, Jane. New York, Macmillan Co., 1902. 12mo, 281 pp. Cl. \$1.25.

"Municipal vs. National Public Life." Nation 74:205 (Mar. 13, 1902).

"Municipal Problems." Sherman, P. Tecumseh. Midland Mun. 2:63 (June, 1901).

"Responsibility in Municipal Government." St. Pierre, T. Arena 27:39 (Jan., 1902).

Adelaide, Australia. "A Tramway Steal." Mun. J. (Aus.) 1:101 (Jan. 27, 1902).

Antwerp, Belgium, Consolidation of Street Railway Franchises at." Engng. N. 47:309 (Apr. 17, 1902).

Art and Civic Improvements.

See New York City, United States, Washington.

"A Story of Home Gardens." Cadwallader, Starr. Outlook 70:309 (Feb. 1, 1902).

"Art and Education." Bissell, George E. Mun. Aff. 6:185 (June, 1902).

"Beautifying of Village and Town." Baxter, Sylvester. Cent. 63:844 (Apr., 1902).

"Civic Improvement, For." Baxter, Sylvester. Cent. 64:43 (May, 1902).

"Exhibit, The First Municipal Art." Lamb, Charles R. Mun. J. & E. 12:111 (Mar., 1902).

"Improvement Associations." Seavey, Frances Copley. Park. & Cem. 12:287 (May, 1902).

— "Among the Improvement Clubs." Lamb, Charles R. Mun. J. & E. 12:200 (May, 1902); Robinson, Charles Mulford. Mun. J. & E. 12:112, 152 (Mar., Apr., 1902).

"Municipal Bodies and Architecture." Bloomfield, Reginald. Surveyor Supp. Apr. 25, 1902.

Notes on City Life. Ferroglio, Gaetano. Reforma Soc. 12:346 (Apr. 15, 1902).

"Pictures in Public Schools." Buck, Winifred. Mun. Aff. 6:189 (June, 1902).

"Planning of Cities, The." Post, George B. Pub. Imp. 5:651 (Feb., 1901).

"The City of the Future." Kelsey, Albert. 8vo, 19 pp. Pamphlet.

Assessments, Special. (See Finance.)**Australia.**

- Finance. "Taxation in New Zealand." Dillingham, Frank. Cons. Rep. 68:419 (Mar., 1902).
- "Taxation in New South Wales." Baker, Orlando H. Cons. Rep. 68:414 (Mar., 1902).
- "Municipal Government. Its Present Unsatisfactory Position." Leplastrier, C. Mun. J. (Aus.) 2:114 (Mar. 31, 1902).
- "Municipal Reform in Victoria." Mun. J. (Aus.) 1:110 (Feb. 20, 1902).

Austria-Hungary.

- Street Railway Statistics. "Betriebsergebnisse der elektrischen Strassenbahnen in Ungarn für das Jahr 1900." Mitt d Ver f d Förderung d Local u Strassenbahnwesens Feb., 1902.
- "Uebersichts-Tabellen, zusammengestellt aus der Statistik des Verbandes der österreichischen Localbahnen für das Jahr 1899." Mitt d Ver f d Förderung d Local u Strassenbahnwesens Feb., 1902.
- "Technical Education in Germany and Austria." Priestley, W. E. B. Mun. J. 11:404 (May 16, 1902).

Baths, Laundries and Lavatories, Public.

- See Rochester.
- "People's Baths." Thomas, Walter W. Surveyor 21:604 (May 23, 1902).

Baltimore.

- "Monthly Bulletin of Commercial Statistics of the Port of Baltimore." Baltimore, Municipal Statistician. (Issued Monthly.)

"Belgium, Telephones in." Roosevelt, George W. Cons. Rep. 68:372 (Mar., 1902).

Berlin.

- Home Rule. "Kaiser vs. Berlin City Council." Hotchkiss, Willard E. Mun. Aff. 6:253 (June, 1902).
- Lighting Electric Stations. "Die Berliner Elektrizitäts-Werke in Jahre 1902." Datterer, L. Zeitschr. Ver. Deut. Ing. 46:181, 293 (Feb. 8, Mar. 1, 1902).
- Transportation Facilities. Elevated and Underground Railway. Estler, P. T. J. Tr. & Ry. W. 11:273 (May 8, 1902); Perkins, Frank C. St. Ry. R. 12:216 (Apr. 15, 1902); Anon. Elec. Eng. (L.) Mar. 7, 14, 1902; Elec. R. (L.) 50:647 (Apr. 18, 1902); Elec. W. & E. 39:805 (May 10, 1902); Engng. N. 47:397 (May 15, 1902); Engng. Rec. 45:389 (Apr. 26, 1902).
- "Die elektrische Hoch und Untergrundbahn in Berlin." Frahm, —. Stahl u. Eisen Feb. 1, 1902; Kapp, Gisbert. Elek. Zeit. 23:123 (Feb. 13, 1902); Langbein, —. Zeit. Ver. Deut. Ing. 46:217, 261, 302 (Feb. 15, 22, Mar. 1, 1902).
- "Les Chemins de Fer Métropolitains de Berlin." Philippe, René. Génie Civil 40:321, 337 (Mar. 15, 22, 1902).

"Birmingham Improvements." Mun. J. 11:361 (May 2, 1902).

Bolton, England.

- "Sewage Disposal at Bolton." Surveyor 21:284, 316 (Mar. 7, 14, 1902).
- "Sludge-Pressing and Destructor Works at Bolton, England." Engng. Rec. 45:511 (May 31, 1902).

Boston.

- "Buildings Department, Investigation of Boston's Public." Chase, Harvey S. Public Policy 6:284 (May 3, 1902).
- Finance. "Boston's Expenses Analyzed." Chase, Harvey S. Pub. Policy 6:152 (Mar. 8, 1902).
- "Gas Supply, Boston and its." Dongall, J. S. Gas W. Apr. 19, 1902.

- "School Board Situation, The Boston." Moors, John F. (Pp. 81-84 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
- "Transportation Problem, Boston's Solution of the." Hrprs. Wkly. 46:462 (Apr. 12, 1902).
- "Effect of the Boston Elevated on Traffic." St. Ry. R. 12:265 (May 20, 1902).
- "The Boston Rapid Transit Situation." Bell, Louis. Elec. R. 40:556 (May 3, 1902).

Bradford, England.

- "Novel Municipal Institution." (Conditioning House). Mun. J. 11:237 (Mar. 21, 1902).

"Brighton [Eng.] Corporation Electric Tramways." Elec. R. 50:141 (Jan. 24, 1902).

Bristol, Eng. "Docks and Electric Lighting." Mun. J. 11:193 (Mar. 7, 1902).

"Brockton, Mass., Intermittent Filtration of Sewage at, during 1901." Engng. N. 47:313 (Apr. 17, 1902).

"Brookline, Mass., Accounts of the Town of." Chase, Harvey S. Pub. Policy 6:238 (Apr. 12, 1902).

Brooklyn, N. Y. (See New York.)

Buffalo.

"Settlement, A Tenement." Rogers, Emma Winner. Am. R. of Rs. 25:53 (Jan., 1902).

— "Social Centers of Buffalo." Holmes, Emily S. Commons Vol. 7, No. 71, p. 3 (June, 1902).

Building Laws.

See Germany, United Kingdom.

"Burnley [Eng.] Corporation Electric Tramways." Ty. & Ry. W. 11:199 (Apr. 17, 1902).

"Cardiff [Wales] Corporation Tramways." Surveyor 21:576 (May 16, 1902).

Charities, City.

See Germany, New York, United States.

"Children, The Care of Destitute, Neglected and Delinquent." Folks, Homer. New York, Macmillan Co., 1902. 12mo, 251 pp. Cl. \$1.

"New Movement in Charity." Bishop, Samuel H. Am. J. Sociol. 7:595 (Mar. 1902).

"Outdoor Relief." Devine, Edward T. Char. 8:373 (Apr. 26, 1902).

"Cheltenham [Eng.], Sewage Treatment at." Garrett, J. H. San. Rec. 29:267 (Mar. 27, 1902).

Chicago.

Finance. "Municipal Accounts of Chicago." Haskins, Charles Waldo. (Pp. 302-314 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

"Franchise Situation, Review of the Chicago." St. Ry. J. 19:608 (May 17, 1902).

"Local Self-Government in Illinois." Crafts, Clayton E. Mun. Aff. 6:245 (June, 1902).

Housing. "Tenement Conditions in Chicago: Report by the Investigating Committee of the City Homes Association." Hunter, Robert, Editor. Chicago, City Homes Association, 1901. 8vo, 208 pp.

"Park Commission on River Ward Conditions, Chicago's." Commons Vol. 7, No. 71, p. 1 (June, 1902).

Settlements. "The Labor Museum at Hull House." Luther, Jessie. Commons Vol. 7, No. 70, p. 1 (May, 1902).

Sewage. "The Joliet Water-Power Plant on the Chicago Drainage Canal." Engng. Rec. 45:362 (Apr. 19, 1902).

"Street Railway Situation in Chicago." Ritchie, William. (Pp. 164-178 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

"Subways, The Tunnel, of Chicago." Elec. R. 40:672 (May 24, 1902).

—, "Progress on the Illinois Telephone and Telegraph Tunnel in Chicago." Elec. W. & E. 39:435 (Mar. 8, 1902).

Child Problem in Cities. (See **Charities.**)

Civil Service of Cities.

See San Francisco, United States.

Cleveland, O.

"Cleveland Situation." (Street railways.) St. Ry. J. 19:457 (Apr. 12, 1902).

"Franchise Situation in Cleveland." Bemis, Edward W. Mun. Aff. 6:261 (June, 1902).

"Cologne, Municipal Tramways in." Barnes, Charles E. Cons. Rep. 68:369 (Mar., 1902).

Columbus, Ohio.

"Social Settlement, Columbus, Ohio." Bell, Florence Louise. Ann. Pol. Sci. 19:505 (May, 1902).

"Street Railway, Profit-Sharing on the Columbus." St. Ry. J. 19:267 (Mar. 1, 1902).

Connecticut.

Home Rule. "Connecticut's Undemocratic Government." Nation 74:222 (Mar. 20, 1902).

—, "Rural Domination in Connecticut." Ford, Guy Stanton. Mun. Aff. 6:220 (June, 1902).

"Copenhagen Fire Department." Mun. J. & E. 12:125 (Mar., 1902).

Councils, Municipal.

"Dual Legislative Bodies." Frary, Frank P. Cal. Mun. 6:54 (Mar., 1902).

"Unicameral Municipal Legislative Assembly, The." Bell, Stoughton. Mun. J. & E. 12:197 (May, 1902).

"Dalny, the Russian Commercial Seaport in North China." Miller, Henry B. Cons. Rep. 69:1 (May, 1902).

Dayton, Electrolysis Decision in. Engng. N. 47:316 (Apr. 17, 1902); St. Ry. J. 19:458 (Apr. 12, 1902).

Detroit, Mich.

Art. "The Most Beautiful City in the Middle West." Mun. J. & E. 12:89 (Mar., 1902).

Street Railways. "The Decision in the Detroit Three-Cent Fare Case." St. Ry. J. 19:338 (Mar. 15, 1902).

"Edinburgh, Stone and Wood Paving in." Fleming, Rufus. Cons. Rep. 68:364 (Mar., 1902).

Education.

See Austria, Germany, London, United Kingdom, United States.

Electrolysis.

See Dayton, Erie.

"Electrolytic Damage to Water and Gas Mains." Matthews, Edwin P. Mun. J. & E. 12:103 (Mar., 1902).

Employment, Municipal.

See Massachusetts.

- "Wages in Municipal Employment." Commons, John R. Q. J. E. 16:433 (May, 1902).

Engineering, Municipal.

- "Public Works Administration." Fairlie, John A. Mun. Engng. 22:212 (Apr., 1902).

"Erie, Pa., Electrolysis Investigations at." Engng. Rec. 45:223 (Mar. 8, 1902).

Excise. (See Liquor Problem in Cities.)**Finance.**

See Australia, Boston, Brookline, Michigan, Minnesota, New York, Philippine Islands, United Kingdom, United States, Wisconsin.

- "Taxation Question, The." Waterman, A. N. Open Court 16:141 (Mar., 1902).
 "Uniformity in Municipal Accounting and in National Statistics." Brown, Charles C. (Pp. 35-39 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.
 —. "Advantages of Uniform Public Accounting." Scovil, Samuel. Pub. Policy 6:236 (Apr. 12, 1902).
 —. "Municipal Accounts and Statistics of Continental Europe." Fairlie, John A. (Pp. 282-301 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
 —. "Uniform Municipal Reports." Blacklock, John H. Pub. Policy 6:150 (Mar. 8, 1902).

Fire, Protection Against.

See Copenhagen, St. Petersburg.

- "Tall Steel Building, The Modern; Corrosion and Fire Dangers." Smith, William Sooy. Cassier's 22:56 (May, 1902).
 "Telephones for Fire Alarms, Street." Mun. J. 11:263 (Mar. 28, 1902).
 "Water Companies, The Fire Protection Obligation of." Engng. Rec. 45:289 (Mar. 29, 1902).
 "Fond du Lac, Wisconsin, Sewage Disposal at." Pierson, George S. Engng. N. 47:410 (May 22, 1902); Watson, Irvine. Mun. Engng. 22:288 (May, 1902).

Franchises, Municipal. (See under Municipal Control, Municipal Ownership and Finance.)**Garbage Disposal. (See also Sewage Disposal.)**

See New York, United Kingdom, United States.

- "Garbage Disposal." Stebbins, F. K. Midland Mun. 1:40 (Nov., 1900).
 Present State of Refuse Disposal in Different Countries. "Etat Actuel de la Question des Ordures Ménagères dans les Divers Pays." Livache, Ach. Bul. Soc. d'Encouragement Feb., 1902.
 "Refuse Disposal Problem, The." Goodrich, W. F. Mun. J. & E. 12:188 (May, 1902).
 "Some Financial, Political and Sanitary Phases of Garbage Disposal." Midland Mun. 2:17 (Apr., 1901).
 "Street Cleaning, Garbage and." Jennings, William; Emigh, John H. (Pp. 183-193 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.
 "Utilization of the Heat of Slag for Developing Power." Clapp, A. W. Engng. N. 47:369 (May 8, 1902).

Germany.

- Building Laws.** "Das preussische Baupolizeirecht nebst den einschlägigen Bestimmungen des Ansiedelungs-, Feld- und Forstpolizei-, Waldschutz- und Deichgesetz...." Born, A. Berlin, Guttentag, 1902. 8vo, 491 pp. M. 10.
- Charities.** "Das preussische Fürsorge-Erziehungsgesetz vom 2. Juli, 1900, vom Standpunkt der Armenpflege und der Sozialpolitik." Flesch, Karl. Ar. Soz. Gesetz. u. Stat. 17:21 (1901).
- History.** "Geschichte der rheinischen Städtkultur von den Anfängen bis zur Gegenwart mit besonderer Berücksichtigung von Worms." Boos, H. Berlin, Stargardt, 1901. 8vo, 741 pp.
- Home Rule.** "The Relation of Baden Cities to the State." Horstmann, Max. (Pp. 158-163 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
- Housing.** "Ein Arbeiterwohnungsquartier in einer süddeutschen Provinzstadt (Bayreuth)." Cahn, Ernst. Ar. Soz. Gesetz. u. Stat. 17:440 (1902).
- "Municipal Housing in Germany." Bücher, Karl. Mun. Aff. 6:167 (June, 1902).
- "Sewage Treatment by Septic Tanks and Contact Filter Beds, German Experiments with." Engng. N. 47:291 (Apr. 10, 1902).
- "Technical Education in Germany and Austria." Priestley, W. E. B. Mun. J. 11:404 (May 16, 1902).
- Transportation Facilities.** "An Analysis of Street Railway Operations in Germany." Mattersdorff, Wilhelm. St. Ry. J. 19:439 (Apr. 5, 1902).
- "Electric Railways in Saxony." Monaghan, J. F. Cons. Rep. 68:110 (Jan., 1902).
- "High Railway Speed in Germany; Electricity or Steam." Mason, Frank H. St. Ry. R. 12:267 (May 20, 1902).
- "Statistik der elektrischen Bahnen in Deutschland." Elek. Zeit. 23:262 (Mar. 27, 1902).

Glasgow.

- Liquor Problem.** "To Reform Inebriates." Mun. J. 11:259 (Mar. 28, 1902).
- "Municipal Enterprises of Glasgow." (Gas, water, electricity, baths, markets, sanitation, parks, telephones, tramways, housing, etc.) Chisholm, Samuel. Glasgow, Hodge & Co., 1901. 8vo, 70 pp.
- "Pavements in Glasgow." Taylor, Samuel M. Cons. Rep. 68:365 (Mar., 1902).
- "Tramway Routes and Fares, Glasgow." Ty. & Ry. W. 11:331 (May 8, 1902).

Greece.

- History.** "Formation des villes, des états, des confederations et des liques dans la Grèce ancienne." Francotte, H. Paris, Bouillon, 1901. 8vo, 65 pp.

History.

- See Germany, Greece, Italy, New York, Riga.

Home Rule.

- See Berlin, Chicago, Connecticut, Germany, London, New York, Ohio, Pennsylvania.
- "Self-Government in Towns." Picton, J. A. Contemp. 34:678 (1878).
- "Self-Government for Cities." Parsons, Frank. Midland Mun. 3:107 (Feb., 1902).

Housing Problem.

- See Germany, New York, United Kingdom, United States.
- "Co-operation as a Factor in the Housing Problem." Wolff, Henry W. Econ. R. 12:129 (Apr. 15, 1902).
- "Cottage Plans and Common Sense." Unwin, Raymond. London, Fabian Society, 1902. 8vo, 15 pp. Pamphlet 1d.

- "Industrial Redistribution." Ty. & Ry. W. 11:165 (Mar. 13, 1902).
 "Housing Problem." Fallows, J. A. Mun. Ref. Apr., May, June, 1902; Taylor, B. Temple Bar May, 1902.
 "Working Classes, The Housing of the." Garrett, J. H. San. Rec. 29:334 (Apr. 17, 1902).
 —. "Die Arbeiterwohnungsfrage." Sinzheimer, Ludwig. Stuttgart, Moritz, 1901. 8vo, 190 pp.

India.

- "Progress of the Municipal Idea in India." Rogers, A. Asiatic Q. R. Apr. 15, 1902.

Iowa.

- "Public Scales in Iowa Cities." Midland Mun. 2:58 (June, 1901).
 "Sewerage and Sewage Disposal, with Special Reference to Iowa Conditions." Marston, A. Midland Mun. 3:31 (Oct., 1901).

Italy.

- History. "La Genesi Sociale dei Comuni Italiani." Loncaio, E. Riv. It. Sociol. 5:639 (Sept.-Dec., 1901).
 Municipal Control. "La municipalisation des services publics en Italie." L'Avenir Social 7:275 (May, 1902).
 —. "La riforma della scuola elementare e la municipalizzazione dei pubblici servizi." Spadoni, D. Critica Soc. 12:173 (June, 1902).
 —. "La schema di legge sulle municipalizzazione." Critica Soc. 12:87 (Mar. 1-16, 1902).

Labor Bureaus.

- "Municipal Registry Offices." Givskov, Erik. Mun. J. 11:343 (Apr. 25, 1902).

Libraries, Public.

See London.

Lighting.

- See Berlin, Boston, Bristol, Manchester, Massachusetts, Paris, St. Louis.
 Charging Different Rates for Gas. Doherty, Henry L. Prog. Age 20:158 (Apr. 15, 1902); Doty, Paul. Prog. Age 20:157 (Apr. 15, 1902); McMillin, Emerson. Prog. Age 20:157 (Apr. 15, 1902).
 "Coal Gas Treatment." Slater, A. B., Jr. Am. G. L. J. 76:411 (Mar. 24, 1902).
 "Depreciation in Gas Plants." Prosser, R. W. Am. G. L. J. 76:767 (May 26, 1902).
 —. "Plant Depreciation and Works Maintenance." Am. G. L. J. 76:577 (Apr. 21, 1902).
 "L'éclairage au gaz: Ses avantages au point de vue hygienique." J. du Gaz & L'Elec. 22:136 (Apr. 15, 1902).
 "La production économique et l'utilisation du gaz de houille." J. Usines à Gaz 26:115 (Apr. 20, 1902).
 "Modern Practice in the Manufacture and Distribution of Gas." Jones, Harry Edward. Prog. Age 20:194, 221 (May 1, 15, 1902).
 Water Gas. "Le gaz a l'eau en Europe." J. du Gaz & L'Elec. 22:116 (Mar. 31, 1902).

Liquor Problem.

See New York, Russia, United Kingdom, United States.

Liverpool.

- "Tramways, Liverpool." Mun. J. 11:333 (Apr. 18, 1902).
 —. "The Liverpool Electric Tramways." Ty. & Ry. W. 11:308 (May 8, 1902).

London.

- "A County Hall for London." Mun. J. 11:379 (May 9, 1902).

County Council. "Work at the L. C. C." *Mun. J.* 11:202, 227, 249, 275, 349, 370, 391, 410 (Mar. 7, 14, 21, 28; Apr. 25, May 2, 9, 16, 1902).

—. "Der londoner Grafschaftsrat. Erster Band: Die Schlussperiode der Herrschaft der Mittelklasse in der londoner Stadtverwaltung." Sinzheimer, Ludwig. Stuttgart, Cotta, 1900. 8vo, 512 pp.

"Education, Technical, in London." *Mun. J.* 11:363 (May 2, 1902).

"Libraries, Public Lending, for the City of London." Clarke, A. L. *Library* Apr. 15, 1902.

"New York, If London were like." *Harmsworth* 8:3 (Feb., 1902).

"Policeman, Making a." Holmes, H. J. *Strand* 23:386 (Apr., 1902).

Population. "How London is Peopled: The Census of 1901." *Char. Or. R.* 11:252 (May, 1902).

"Steamboats for the Thames." *Mun. J.* 11:399 (May 16, 1902).

"Transit Problem, London." *Mun. J.* 11:359 (May 2, 1902).

—. County Council Tramways. *Ty. & Ry. W.* 11:162, 329 (Mar. 13, May 8, 1902).

—. "Electric Traction: London's Tubes, Trams and Trains, 1902." Robinson, J. Clifton. *J. Soc. Arts* 50:408 (Mar. 21, 1902), *St. Ry. R.* 12:295 (May 20, 1902), *Ty. & Ry. W.* 11:323 (May 8, 1902).

—. "The Great Northern and City Railway." *St. Ry. J.* 19:274 (Mar. 1, 1902).

—. Underground Railways. *Ty. & Ry. W.* 11:177, 236 (Mar. 13, Apr. 17, 1902).

—. "Underground Electric Railway Company." *St. Ry. J.* 19:586 (May 10, 1902).

"Water Bill, The London." *Mun. J.* 11:197 (Mar. 7, 1902); *Eng. (L.)* 73:187 (Feb. 7, 1902).

"Madison, Wis., The New Sewage Disposal Plant of." Turneure, F. E. (Pp. 149-156 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.

Manchester, Eng.

"Electricity, Manchester." *Mun. J.* 11:440 (May 30, 1902).

Parks. "Manchester's Enterprise." *Mun. J.* 11:383 (May 9, 1902).

Massachusetts.

"Employment, Rates of Wages in City." *Mass. Labor Bull.* No. 22, p. 39 (May, 1902).

"Franchise Tax, Massachusetts." Wood, Frederick A. *Am. G. L. J.* 76:763 (May 26, 1902).

Lighting. "Municipal Gas and Electric Plants in Massachusetts." Adams, Alton D. *J. P. E.* 10:214 (Mar., 1902).

"Street Lighting in Massachusetts, Prices of Arc." Adams, Alton D. *Mun. J. & E.* 12:186 (May, 1902).

"Michigan, Taxation of Gas Properties in." Freeman, A. M. *Prog. Age* 20:195 (May 1, 1902), *Am. G. L. J.* 76:693 (May 12, 1902).

Middleton, Eng.

"Tramways, The Middleton Electric." *Ty. & Ry. W.* 11:211 (Apr. 17, 1902).

—. "Enterprise at Middleton." *Mun. J.* 11:337 (Apr. 25, 1902).

"Middletown, N. Y., The Water-Works System of." *Mun. Engng.* 22:140 (Mar., 1902).

Minneapolis. "The Twin City Rapid Transit Company." *St. Ry. J.* 19:233 (Mar. 1, 1902).

"Minnesota's Constitution Prohibits Correct Tax Legislation." Purdy, Lawson. *Pub. Policy* 6:158 (Mar. 8, 1902).

"**Montreal, Municipal Situation in.**" Ames, Herbert B. (Pp. 111-118 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

Municipal Control, Ownership, etc.

See Cleveland, Iowa, Italy, Nantes, Sydney, United Kingdom, United States, Vienna.

"Attitude of Municipal Corporations to the Public." Boyd, John G. Pub. Imp. 3:479 (Sept., 1900).

"Control, Municipal." Mun. J. (Aus.) 1:97 (Jan. 27, 1902).

"European Cities, Municipal Ownership in Three." (Berlin, Vienna and Dresden.) Denicke, E. A. Mun. J. & E. 12:193 (May, 1902).

— "Municipal Ownership of Public Service Industries in Europe." Johnson, J. A. Midland Mun. 2:136 (Sept., 1901).

Municipal Ownership. Frost, E. Allen. City & State 12:217 (Apr. 3, 1902); Johnson, J. A. Midland Mun. 3:40 (Oct., 1901); Meriwether, Lee. Midland Mun. 3:114 (Feb., 1902).

"Municipal Trading." Shaw, —. Pub. Policy 6:137 (Mar. 1, 1902).

"Picturesque Aspects of Municipal Socialism." Baxter, Sylvester. Pilgrim Vol. 5, No. 5, p. 6 (May, 1902).

"Politics, Municipal Ownership and Corrupt." Adams, Henry C. Outlook 70:726 (Mar. 22, 1902).

"The Most Stupendous Blunder of the Age." Pub. Policy 6:161 (Mar. 15, 1902).

"Transportation Franchises always the Property of Sovereignty." Monnett, Frank S. Arena 26:113 (Aug., 1901).

Bakehouses. "Municipalizzazione dei Pubblici Servizi: La Panificazione Municipale. Il Caso di Cremona." Montemartini, G. G. Econ. 24:165 (Feb., 1902).

"Electrical Hazards, State and Municipal Control of." Midland Mun. 1:97 (Dec., 1900).

"Electric Lighting, Municipal." Bissell, G. W. Midland Mun. 3:21 (Oct., 1901).

— "A Model Franchise." Midland Mun. 3:119 (Feb., 1902).

— "Electric Lighting along Municipal Lines." Leech, John F. Midland Mun. 3:25 (Oct., 1901).

Fire Insurance. "Assurance communale contre l'incendie." Anseele, Edouard. L'Avenir Social 7:210 (Apr., 1902); Anon. L'Avenir Social 7:210 (Mar., 1902).

"Milk Supply, The Problem of a Pure." Chapin, Henry Dwight. Forum 33:293 (May, 1902).

Pharmacy. "Municipalizzazione delle Farmacie." Montemartini, G. G. Econ. 24:356 (Apr., 1902).

"Street Railways, Municipal Ownership and Operation of." Sloan, H. M. St. Ry. R. 12:211 (Apr. 15, 1902).

"Telegraph and Telephone, Governmental Ownership of the." Parsons, Frank. Arena 27:179, 297 (Feb., Mar., 1902).

"Theatre, The Municipal." Lee, Sidney. New Liberal R. 3:499 (May, 1902).

"**Nantes, Municipal Kitchens in.**" Brittain, Joseph I. Cons. Rep. 68:94 (Jan., 1902).

"**Naples Tammany Hall, The.**" Fiamingo, G. M. Ind. 54:1184 (May 15, 1902).

"**New Jersey's Public Water Supply.**" Baldwin, H. B. Sanitarian 48:315 (Apr., 1902).

New Orleans.

"New Orleans Municipal Situation." Howe, William Wirt. (Pp. 95-98 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

"Drainage Works, New Orleans, The Construction of the." Engng. Rec. 45:313 (Apr. 5, 1902).

New York City.

Art. "Greater New York's Future." Harder, Julius F. Pub. Imp. 5:645 (Feb., 1901).

"Charities of New York City, Ten Weeks of Reform in the Department of Public." Char. 8:251 (Mar. 15, 1902).

"Charter of New York City." Goodnow, F. J. P. S. Q. 17:1 (Mar., 1902).

— "Revision of the New York Charter." Pryor, James W. (Pp. 128-132 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

Finance. "Amend the Debt Limit." Coler, Bird S. Midland Mun. 3:135 (Mar., 1902).

"Free-Lecture Movement, The." Nation 74:363 (May 8, 1902).

Garbage Disposal. "A House-Refuse Incinerator for New York City." Engng. Rec. 45:372 (Apr. 19, 1902).

— "Proposed Light Refuse Crematory for New York City." Engng. N. 47:314 (Apr. 17, 1902).

History. "In the Footsteps of Washington." Hemstreet, Charles. Outlook 70:300 (Feb. 1, 1902).

— "Old New York Downtown." Childe, Cromwell. New York, Brown-Green Co., 1902. 8vo, 60 pp. Paper.

— "When Old New York was Young." Hemstreet, Charles. New York, Scribner's, 1902. 8vo, 365 pp. Cl. \$1.50.

Home Rule. "Legislative Interference in New York." Agar, John G. Mun. Aff. 6:198 (June, 1902).

Housing. "Tenement House Law and the Building Code of New York City, 1902." Brooklyn, Brooklyn Daily Eagle, 1902. 4to, 45 pp. Paper 10c.

— "Tenement House Reform in Danger." Char. 8:282 (Mar. 29, 1902).

Liquor Problem. "The Excise Question." Outlook 70:112 (Jan. 11, 1902).

"Pavements in New York, The New Specifications for Asphalt." Engng. Rec. 45:460 (May 17, 1902).

"Police Failure, The." Nation 74:420 (May 29, 1902).

"Politics, Public Opinion and New York City." Elliott, John L. Commons Vol. 6, No. 68, p. 1 (Mar., 1902).

— "Anti-Tammany Union" Cutting, R. Fulton. (Pp. 78-80 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

— "The Real Tammany." Nation 74:401 (May 22, 1902).

— "The Tammany Man." Hrprs. Wkly. 46:332 (Mar. 15, 1902).

"Streets of Old New York." Cantor, Jacob A. Mun. J. & E. 12:183 (May, 1902).

"Transit Railway, The New York Rapid." Engng. N. 47:199, 236, 318, 374 (Mar. 6, 20; Apr. 17, May 8, 1902).

"Water Revenues, The Necessity of Steps to Protect the." Mchts. Assoc. B. Vol. 1, No. 3, p. 2 (Mar., 1902).

— "The Water is not Wasted—It is stolen." Mchts. Assoc. B. Vol. 1, No. 3, p. 3 (Mar., 1902).

New York State.

"Tax Legislation in New York, A Review of." Purdy, Lawson. Pub. Policy 6:265 (Apr. 26, 1902).

Nominating Systems.

See New York, United States.

"Direct Primaries." Spahr, Charles B. (Pp. 184-196 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

— "The Crawford or Direct Primary System." Hempstead, Ernest A. (Pp. 197-217 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

"Referendum in Party Nominations." Whitten, Robert H. Mun. Aff. 6:180 (June, 1902).

Norway. "Les Elections Municipales en Norwège." Kringen, Olav. L'Avenir Soc. 7:161 (Mar., 1902).

"**Norwich [Eng.]** and Sewage Disposal." Surveyor 21:634 (May 30, 1902).

Ohio.

"Municipal Government, The Revised Code Bill and Modern." Ferris, Aaron A. Pub. Policy 6:188 (Mar. 22, 1902).

"Home Rule in Ohio." Maltbie, Milo Roy. Mun. Aff. 6:234 (June, 1902).

"**Omaha**, the Prairie City." Lighton, William R. Atlan. 89:545 (Apr., 1902).

Ontario. "Municipal Government." Armstrong, Walter. Ann. Am. Acad. Pol. Sci. 19:142 (Mar., 1902).

Paris.

Lighting. "Compagnie parisienne d'éclairage et de chauffage par le gaz." J. Usines à Gaz 26:86 (Mar. 20, 1902); J. Gaz & L'Elec. 22:153 (Apr. 30, 1902).

— "Eclairage public et privé par le gaz en 1900." J. Usines à Gaz 26:132 (May 5, 1902).

— "La question du gaz à Paris." J. du Gaz & L'Elec. 22:73, 113 (Feb. 28, Mar. 31, 1902).

— "Les secteurs électriques à Paris." J. du Gaz & L'Elec. 22:133 (Apr. 15, 1902).

"Pavements of Paris, The Wooden." Mahan, F. A.; Kummer, F. A. Engng. Rec. 45:136 (Feb. 8, 1902).

Sanitation. "The Health of Paris." Mun. J. 11:321 (Apr. 18, 1902).

Street Sprinkling. "L'Arrosement de la Voie Publique à Paris." Bret, E. Génie Civil 40:275 (Feb. 22, 1902).

Transportation. "Metropolitan Railway of Paris." Ty. & Ry. W. 11:243 (Apr. 17, 1902); Engng. Rec. 45:489 (May 24, 1902).

Parks.

See Chicago, Washington, Wilmington.

"Amusement for Street Railway Parks." St. Ry. J. 19:298 (Mar. 1, 1902).

Parties, Politics, Non-Partisanship. (See also **Elections.**)

See New York, Norway, Philadelphia.

Pavements, Paving.

See Edinburgh, Glasgow, New York, Paris.

"Asphalt Paving under Municipal Management." Puffer, P. E. Mun. Engng. 22:144 (Mar., 1902).

— "Asphaltum and its Compounds in Nature—Locations, Analyses and Principal Uses." Howard, J. W. (Pp. 105-114 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.

— "Correct Asphalt Pavement Specifications." Howard, J. W. Mun. J. & E. 12:199 (May, 1902).

— "The Maintenance of Asphalt Streets." Hazlehurst, James N. Pro. Am. Soc. C. E. 28:428 (May, 1902).

"Bituminous Macadam, The Growing Popularity of." Somers, Walter J. Mun. J. & E. 12:144 (Apr., 1902).

- "Tar-Macadam: Its Manipulation, Advantages and Disadvantages." Owen, George H. *Surveyor* 21:520 (May 2, 1902).
- "The Possibilities of the Use of Coal Tar in Bituminous Pavements." Warren, Fred J. (Pp. 114-119 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.
- "Brick Tests and Street Wear, Comparison of." Brown, Charles Carroll. *Mun. Engng.* 22:283 (May, 1902).
- "Cements for Pavement Foundations, The Relative Merits of Portland and Natural." Rust, C. H. (Pp. 129-131 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.
- "Guarantees, Pavement." Tillson, George W. (Pp. 120-128 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.
- "Pavements." Latham, Frank. *San. Rec.* 29:247 (Mar. 20, 1902).
- "Roads, Streets and Pavements." Tyrrell, H. G. *Can. Eng.* 9:35 (Feb., 1902).
- "Streets and Roads." Macdonald, James H. *J. Engng. Soc.* 28:195 (Apr., 1902).
- "The Selection and Construction of Street Pavements." Prior, Wright S. *Worcester M.* 3:133 (Apr., 1902).
- "Street Railway Tracks." Latham, Frank. *San. Rec.* 29:265 (Mar. 27, 1902).
- "Tests of Paving Materials." *Mun. Engng.* 22:285 (May, 1902).
- "Wood Pavements at Home and Abroad." Kummer, F. A. (Pp. 217-231 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.
- "Recent Experiences with Wood Pavements." Wheeler, B. T. (Pp. 212-217 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.
- "Pawtucket, Tar Macadam in." *Engng. Rec.* 45:221 (Mar. 8, 1902).
- Pennsylvania.**
- Home Rule. "The Pennsylvania Rippers." Woodruff, Clinton Rogers. *Mun. Aff.* 6:212 (June, 1902).
- "Some Recent Charter Legislation in Pennsylvania." Smith, Edwin Z. (Pp. 133-151 *Pro. Rochester Conf. National Municipal League, May, 1901.*) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
- "Philadelphia Situation." Richardson, Charles. *City & State* 12:345 (May 29, 1902).
- Philippine Islands.**
- "Municipal Government in the Philippines." Plehn, Carl C. *Cal. Mun.* 6:93 (Apr., 1902).
- "Taxation in the Philippines." Plehn, C. C. *P. S. Q.* 17:125 (Mar., 1902).
- Piedmont, Italy.**
- "La popolazione del Piemonte nel secolo XVI." Ottolenghi, C. *Riv. It. Sociol.* 5:689 (Sept.-Dec., 1901).
- "Pittsburg Ripper." Scully C. D. *Ann. Am. Acad. Pol. Sci.* 19:299 (Mar., 1902).
- Police.**
- See London, New York, United Kingdom, United States.
- Prostitution.**
- "Municipal Restriction of Vice." Fox, Norman. *Midland Mun.* 3:96 (Jan., 1902).
- "The Social Evil." *Outlook* 70:606 (Mar. 8, 1902).
- Public Works.** (See **Engineering.**)
- Riga.**
- History. "Die Gemeinde der Stadt Riga in 700 Jahren 1201-1901." Blumenbach, Eugen. *Riga, Plates*, 1901. 8vo, 86 pp.

—, "Der Stadt Riga Verwaltung und Haushalt in den Jahren 1876-1900." Carlberg, N. Riga, Müllersche Buchdruckerei, 1901. 8vo, 517 pp.

"**Rochdale [Eng.]** Tramways." Mun. J. 11:443 (May 30, 1902).

"**Rochester, N. Y.**, Public Baths in." Mun. Engng. 22:210 (Apr., 1902).

Russia. "Results of the Russian Liquor Reform." Kennan, George. Outlook 70:120 (Jan. 11, 1902).

St. Louis.

"Electric Power Plant, St. Louis Municipal." Elec. W. & E. 39:961 (May 31, 1902).

"Municipal Affairs in St. Louis." Nagel, Charles. (Pp. 105-110 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

"Water Supply by an Expert Commission, Report of the St. Louis." McMath, Robert E. Engng. N. 47:196 (Mar. 6, 1902).

St. Paul, Minn.

"The Twin City Rapid Transit Company." St. Ry. J. 19:233 (Mar. 1, 1902).

"**St. Petersburg**, The Old-Fashioned Department at." (Fire Dept.) Mun. J. & E. 12:171 (Apr., 1902).

Saloon Problem in Cities. (See under **Liquor Problem in Cities.**)

San Francisco.

"An Appeal from a Decision of the Supreme Court of California to the Business Men of San Francisco." (Civil Service.) Wheelan, F. H. Mchts. A. R. 6:1 (Mar., 1902).

"Municipal Affairs in San Francisco." Freud, J. Richard. (Pp. 99-104 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

Sanitation.

See Paris, United Kingdom, United States.

"Engineering Phases of Municipal Boards of Health." Leighton, Marshall O. (Pp. 156-162 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.

"Municipal Sanitation." Wilson, Henry. Westm. 157:197 (Feb., 1902).

"Principles of Sanitary Science and the Public Health." Sedgwick, William T. New York, Macmillan Co., 1902. 8vo, 368 pp. Cloth \$3.

"**Scranton, Pa.**, Reform in." Lansing, Isaac J. (Pp. 85-94 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

Settlements.

See Buffalo, Columbus.

Sewers, Sewage Disposal.

See Bolton, Brockton, Cheltenham, Chicago, Fon du Lac, Germany, Iowa, Madison, New Orleans, Norwich, United Kingdom, United States, Worcester.

"Bacterial Purification of Sewage." Buxton, B. H. Engng. Rec. 45:387 (Apr. 26, 1902).

—, "Sewage and the Bacterial Purification of Sewage." (2nd Ed.) Rideal, Samuel. New York, Wiley & Sons, 1901. 8vo, 308 pp. Cl. \$3.50.

"Chemical Precipitation, Sewage Purification by." Eddy, Harrison P. Worcester M. 3:163 (May, 1902).

"Construction, Estimation of the Cost of Sewer." Steece, Emmet. (Pp. 143-149 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.

—, "The Use of Concrete in Sewer Construction." Gifford, Harry V. Mun. Engng. 22:169 (Mar., 1902).

- Design of Sewers. "Beitrag zur Berechnung von Kanalisationseutungen." Hecker, Hr. Gesund-Ing. Dec. 15, 31, 1901.
- "Intermittent Sewage Filters at Pittsfield, Mass." Engng. Rec. 45:438 (May 10, 1902).
- "Purification of Sewage." Shields, W. S. Mun. Engng. 22:388 (June, 1902).
- "Separate System of Sewerage, The." Richert, J. Gust. Surveyor 21:465 (Apr. 18, 1902).
- , "Early History of the Separate Sewerage System." Engng. Rec. 45:230 (Mar. 8, 1902).
- "Septic Treatment of Sewage." Flynn, Benj. H. San. Rec. 29:468 (May 29, 1902).
- , "Management of the Septic Tank." Dom. Engng. Apr. 15, 1902.
- , "The Action of the Septic Tank on Acid Sewage." Kimicutt, Leonard P. Engng. Rec. 45:444 (May 10, 1902).
- "Sewage Disposal Problem." Baker, M. N. Midland Mun. 1:125 (Jan., 1901).
- , Sewerage and Sewage Disposal at the Paris Exposition. "Canalisationswesen und Abwasserreinigung auf der pariser Weltausstellung 1900." Ruiss, Josef. Zeitschr. Oesterr. Ing. Arch Ver. 54:17, 40 (Jan. 10, 17, 1902).

"Southampton [Eng.] Tramways." Mun. J. 11:211 (Mar. 14, 1902).

Streets, Street Cleaning, etc.

See Massachusetts, New York, Paris.

- "Architecture, Street." Pite, Beresford. J. Soc. Arts 50:505 (Apr. 25, 1902); Surveyor Supp. (Apr. 25, 1902).
- "Cleansing." Latham, Frank. San. Rec. 29:287 (Apr. 3, 1902).
- , "Cost of Cleaning Streets." Mun. Engng. 22:207 (Apr., 1902).
- , "Street Cleaning and Sprinkling." Rich, L. M. Midland Mun. 1:44 (Nov., 1900).
- "Sidewalks, Article on Permanent." Vaughn, Fred W. Midland Mun. 1:164 (Mar., 1901).
- "Sprinkling, Special Assessment for Street." Midland Mun. 2:3 (Apr., 1901).
- "Trees, Suggestions for Transplanting and Caring for." Collins, Lewis. Mun. J. & E. 12:147 (Apr., 1902).

Subways for Pipes and Wires.

See Chicago.

- "Underground Topography of a City, The." Parsons, Wm. Barclay. Engin. M. 11:1015 (1896).

Sydney. "Municipal Markets." Mun. J. (Aus.) 1:105 (Feb. 20, 1902).

Syracuse, N. Y., The Street Railway System of." St. Ry. J. 19:517 (May 3, 1902).

Tacoma: A Story of Municipal Progress." Nesbit, James Boyd. Mun. J. & E. 12:137 (Apr., 1902).

Telephones.

See Belgium, United Kingdom.

- "The Evolution of the Message Rate Telephone Service." Webb, Herbert Laws. Elec. W. & E. 39:588 (Apr. 5, 1902).

Tenement Houses. (See Housing.)

Transit Facilities.

See Adelaide, Antwerp, Austria, Berlin, Boston, Brighton, Burnley, Cardiff, Chicago, Cleveland, Cologne, Columbus, Detroit, Germany, Glasgow, Liverpool, London, Middleton, Minneapolis, New York, Paris, Rochdale, Southampton, Syracuse, Trenton, United Kingdom, Vienna, Wallasey, Wolverhampton.

- "Cable Railways, Working Expenses of Electric and." Ty. & Ry. W. 11:225 (Apr. 17, 1902).

- "Concrete Roadbed Construction for Street Railways." Engng. N. 47:188 (Mar. 6, 1902).
- "Electric Traction." Robinson, J. Clifton. Surveyor 21:400 (Apr. 4, 1902).
- "Problems of Electric Railways." Swinburne, J.; Cooper, W. R. Ty. & Ry. W. 11:245 (Apr. 17, 1902); St. Ry. J. 19:502 (Apr. 26, 1902).
- "Recent Electric Tramway Practice." Estler, P. T. J. Mech. Eng. (L.) Mar. 15, 1902.
- "The Electric Car." Skinner, Charles M. Atlan. 89:799 (June, 1902).
- "Pensioning Street Railway Employees." Vreeland, H. H. Outlook 70:766 (Mar. 29, 1902).
- "Underground Electric Railways Abroad." Perkins, Frank C. Sci. Am. 86:311 (May 3, 1902).
- "Vibrations Caused by Underground Trains." Engng. Rec. 45:217 (Mar. 8, 1902).
- "Trenton, N. J., Trolley Lines near." St. Ry. J. 19:630 (May 24, 1902).
- United Kingdom.**
- "Creation of Boroughs." Bateson, Mary. Eng. Hist. R. 17:284 (Apr. 15, 1902).
- "Municipal and Local Government Law as Related to the Work of Municipal Engineers and Surveyors." Surveyor 21:548 (May 9, 1902).
- "Private Bill Legislation." Mun. J. 11:382 (May 9, 1902).
- "Scotland, Local Government in, in 1901." San. Rec. 29:419, 444 (May 15, 22, 1902).
- "The Councillor's Manual being a Guide to Scottish Local Government in Burghs, Parishes, and Counties." (5th Edition.) Murray, Abijah. Edinburgh, William Green & Sons, 1902. 12mo, 1112 pp. Cl.
- "To-day's Work: Municipal Government, the Hope of Democracy." (Municipal Operation, Monopolies, Housing, Direct Employment, Social Activities, Democracy.) Haw, George. London, Clarion Newspaper Co., 1901. 12mo, 240 pp. Cl. 2s. 6d.
-
- "Building By-Laws, The Position of Local Authorities in Regard to." Cook, F. C. San. Rec. 29:312 (Apr. 10, 1902); Surveyor 21:460 (Apr. 18, 1902).
- "Ancient Lights." Williams, Walter C. Surveyor Supp. Mar. 28, 1902.
- "Canal, A County Council." Mun. J. 11:341 (Apr. 25, 1902).
- "Education Bill, The Local Option." Quar. R. 195:637 (Apr., 1902).
- Finance. "The Rating of Government Property in England." Mun. J. (Aus.) 2:113 (Mar. 31, 1902).
- "The Control of Municipal Accounting and Statistics in Great Britain." Bemis, Edward W. (Pp. 278-281 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
- Garbage Disposal. "A British Refuse Lighting Plant." Elec. W. & E. 39:725 (Apr. 26, 1902).
- Housing. "The 'Garden City' Realised." Mun. J. 11:279 (Apr. 4, 1902).
- Liquor Problem. "British 'Gothenburgh' Experiments and Public-house Trusts." Rountree, Joseph; Sherwell, Arthur. London, Hodder & Stoughton, 1901. 8vo, 176 pp. 2s. 6d.
- Municipalization. "Le case operaie in Inghilterra." Borsa, Mario. Critica Soc. 12:90, 139 (Mar. 1, 16, 1902).
- "Municipal Socialism in England." Boyle, James. Mun. Aff. 6:268 (June, 1902).
- "Police in England, A History of." Lee, W. L. Melville. London, Methuen, 1901. 8vo, 430 pp. 7s. 6d.
- "Sanitary Betterment in Great Britain." Thresh, John C. Dom. Engng. Apr. 15, 1902.

- "Sewage Disposal in Small Towns." *Mun. J.* 11:241 (Mar. 21, 1902).
 —. "The Present Status of the Sewage Problem in England." Kinnicutt, L. P. *Engng. Rec.* 45:295 (Mar. 29, 1902).
 "Telephony in Great Britain." *Elec. R.* 40:216 (Feb. 15, 1902).
 "Tramway Clauses: Terms of Purchase in Private Acts." *Mun. J.* 11:220 (Mar. 14, 1902).
 —. "Electric Railways in the English Midlands." McFarland, S. C. *Cons. Rep.* 68:367 (Mar., 1902).
 —. "Electric Traction in England." Dawson, Philip. *St. Ry. J.* 19:660 (May 31, 1902).
 —. "Municipal Tramways in Great Britain." *St. Ry. J.* 19:410 (Apr. 5, 1902).
 —. "Tramway and Electric Railway Legislation." *Ty. & Ry. W.* 11:314 (May 8, 1902).
 —. "Tramways and Running Powers." *Mun. J.* 11:362 (May 2, 1902).

United States.

- "A Year's Municipal Activities." Woodruff, Clinton Rogers. (Pp. 55-77 *Pro. Rochester Conf. National Municipal League*, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
 "Advantages of State Municipal Leagues." Foote, Allen Ripley. *Pub. Policy* 6:204 (Mar. 29, 1902).
 "American Society of Municipal Improvements, The Work and Aims of the." Lewis, N. P. (Pp. 179-183 *Pro. Rochester Conf. National Municipal League*, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
 "Charters of Small Municipalities." Kirkbride, Charles N. *Cal. Mun.* 6:56 (Mar., 1902).
 "City Government: Review of Legislation, 1901." Wilcox, Delos F. (Pp. 18-22 *Bulletin* 72, N. Y. State Library, Mar., 1902. 8vo, 248 pp. Paper \$25.
 "Comparative Summary and Index of Legislation in 1901." Whitten, Robert H.; Phillips, J. B. *Bulletin* 69, N. Y. State Library, Dec., 1901. 8vo, 1229 pp. Paper \$25.
 "Government by Commissions." Macaulay, J. W. *Cal. Mun.* 6:53 (Mar., 1902).
 "Municipal Government in the United States." Woodruff, Clinton Rogers. (Pp. 245-247 *Pro. Rochester Conf. National Municipal League*, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
 "Municipal Reform." Dolman, John. *Arena* 27:174 (Feb., 1902).
 —. "Public Reform and Municipal Government." Mowry, Duane. *Green B.* 14:209 (May, 1902).
 "Suggestions to Charter Makers." Mason, H. A. *Cal. Mun.* 6:70 (Mar., 1902).
 "The American Federal State." (Chapter XXI. on "The Municipality.") Ashley, Roscoe Lewis. New York, Macmillan Co., 1902. 8vo, 599 pp. Cl. \$2.
 "University Instruction in Municipal Government." Young, James T. (Pp. 226-231 *Pro. Rochester Conf. National Municipal League*, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
 —. "Outline of Courses on Municipal Government in Europe and the United States Offered by Cornell University." Brooks, Robert C. (Pp. 242-244 *Pro. Rochester Conf. National Municipal League*, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
 —. "Outline of Course on Municipal Government Offered by the University of Pennsylvania." Rowe, L. S. (Pp. 235-241 *Pro. Rochester Conf. National Municipal League*, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
 —. "Report of the Committee on Instruction in Municipal Government in American Colleges." Drown, Thomas M. (Pp. 218-225 *Pro. Rochester Conf. National Municipal League*, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.

- Art. "A Great Civic Awakening in America." Baxter, Sylvester. Cent. 64:255 (June, 1902).
- "Charities: Supervision and Poor Relief." Hebbard, Robert W. (Pp. 121-125 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- "Dependent, Neglected and Delinquent Children." Ufford, Walter S. (Pp. 125-133 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- "Poor Relief in the United States." Münsterberg, E. Am. J. Sociol. 7:659 (Mar., 1902).
- "Civil Service throughout the Country." Good Govt. 19:67 (May, 1902).
- Education. "Common Schools." Harris, William T. (Pp. 85-87 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- "High Schools." Brown, Elmer Ellsworth. (Pp. 88-90 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- "Elections, Lawmaking and." Whitten, Robert H. (Pp. 26-58 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- Finance. "Special Assessments and Local Improvements." Rosewater, Victor. (Pp. 22-26 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- "Report of the Committee on Uniform Municipal Accounting." Hartwell, Edward M. (Pp. 248-254 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
- "Taxation of Corporations in the United States." Walker, Francis. Ann. Am. Acad. Pol. Sci. 19:165 (Mar., 1902).
- "Taxation of Public Service Corporations." Whitten, Robert H. (Pp. 73-77 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- "The Power of Taxation." McMahon, H. H. Pub. Policy 6:184 (Mar. 22, 1902).
- "Garbage Disposal in the United States." Baker, M. N. Midland Mun. 3:90 (Jan., 1902).
- "Improved Methods of Garbage Disposal in the United States." Engng. N. 47:352 (May 1, 1902).
- Housing. "American Remedies for Overcrowding." Milton, Holt A. West. 157:211 (Feb., 1902).
- "Liquors, Intoxicating." Schenck, W. H. (Pp. 147-149 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- "Municipal Ownership Movement." Woodruff, Clinton Rogers. Midland Mun. 3:83 (Jan., 1902).
- "An Exhibit of Municipal Ownership in the United States." Engng. N. 47:293 (Apr. 10, 1902).
- "Municipal Franchises." Ind. 54:823 (Apr. 3, 1902).
- "Nominating systems: Direct Primaries versus Conventions in the United States." Meyer, Ernest C. Madison, Wis., Ernest C. Meyer, 1902. 8vo, 521 pp. Cl. \$1.50.
- "Policemen and Street Railway Companies." St. Ry. J. 19:612 (May 17, 1902).
- "Sanitation, State Legislation and Municipal." Landreth, O. H. (Pp. 260-262 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.
- "Public Health." Chapin, Charles V. (Pp. 150-163 Bulletin 72, N. Y. State Library, Mar., 1902.) 8vo, 248 pp. Paper 25c.
- "Sewage Disposal in the Middle West." Marston, A. Midland Mun. 1:15 (Oct, 1900).
- "Statistics in the United States, Present Condition of Municipal." Hanger, G. W. W. (Pp. 264-277 Pro. Rochester Conf. National Municipal League, May, 1901.) Phila., National Municipal League, 1901. 8vo, 342 pp. Cl. \$1.
- "Water Purification in the United States." Engng. N. 47:310 (Apr. 17, 1902).

Vienna.

"Municipalization of the Vienna Electric Street Railways." Ziffer, E. A. St. Ry. J. 19:362, 447 (Mar. 22, Apr. 5, 1902).

— "Der elektrische Probetrieb auf der Wiener Stadtbahn." Zeit. f. Klein- u. Strassenbahnen Feb. 1, 1902.

— "Die wiener Stadtbahnen." Schweiz. Bau. Feb. 1, 8, 1902.

"Wallasey [Eng.] Electric Tramways." Mun. J. 11:283 (Apr. 4, 1902).

Washington, D. C.

"Park System, The Development and Improvement of the." Am. Arch. 75:75 (Mar. 8, 1902).

— "The Art of City-Making." Schuyler, Montgomery. Arch. Rec. 12:1 (May, 1902).

— "Washington Fifty Years Hence." Baldwin, Elbert F. Outlook 70:817 (Apr. 5, 1902).

"Washington; the Capital City." Brent, John. Munsey's 27:228 (May, 1902).

Water Works.

See London, Middletown, New Jersey, New York, St. Louis, United States.

"Drainage of Swamps for Watershed Improvement." Larned, Edward S. J. N. E. W. W. A. 16:36 (Mar., 1902).

"Filtration of River Water." Jenkins, Alfred J. San. Rec. 29:352, 379, 398 (Apr. 24, May 1, 8, 1902); Surveyor 21:428 (Apr. 11, 1902).

— Gravel Filters. "Les Filtres Degrossisseurs Peuch." Fontaine, Hippolyte. Bull. Soc. d'Encouragement Jan., 1902.

"Meter, The Water, as a Sanitary Agent." Baker, M. N. (Pp. 164-166 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.

"Rates, A Discussion on Water." Engng. Rec. 45:255 (Mar. 15, 1902).

— "Should Water be Served by Municipalities Free of Charge?" Keegan, J. W. Cal. Mun. 6:90 (Apr., 1902); Pub. Policy 6:350 (May 31, 1902).

"Small Cities and Towns, Water Works for." Pierson, George S. Midland Mun. 1:145 (Feb., 1901).

"Water and Water Supplies." Thresh, John C. Philadelphia, Blakiston's Sons, 1902. 8vo, 527 pp. Cloth \$2.

— "Water, Water Supplies, and Epidemics of Disease." Bissell, William G. Mun. J. & E. 12:154 (Apr., 1902).

Wharves, Docks and Piers.

See Bristol.

"Notes Collected in Relation to Docks and Harbors in Great Britain, France and Belgium in the Summer of 1900." Hodgdon, Frank W. J. Assoc. Engng. Soc. 28:116 (Mar., 1902).

"Wilmington, Del., The Local Park System of." Leisen, Theodore A. (Pp. 86-91 "8th Conv. Amer. Soc. Mun. Imp. 1901.") Brooklyn, Secretary, 1901. 8vo, 277 pp.

"Wisconsin, Tax Problem in." Anderson, William J. Outlook 70:128 (Jan. 11, 1902); Public Policy 6:264 (Apr. 26, 1902).

"Wolverhampton [Eng.], A New System of Tramway Traction at." Mun. Ref. No. 45, p. 61 (June, 1902).

"Woman's Work in Cities." Seavey, Frances Copley. Pub. Imp. 5:845 (Sept., 1901).

Worcester, Mass.

"How Worcester is Governed." Coe, S. Hamilton. Worcester M. 3:111 (Apr., 1902).

"Sewage, Treatment of, in a Large Open Septic Tank at Worcester, Mass." Engng. N. 47:435 (May 29, 1902).

BIOGRAPHICAL NOTICES.

OF THE

WRITERS IN MUNICIPAL AFFAIRS FOR JUNE, 1902.

KARL BÜCHER—Born February 16th, 1847, at Kirberg, Reg.-Bez., Wiesbaden, Prussia. Studied history, philology and political science at Bonn and Göttingen from 1866 to 1869, and afterwards taught in a gymnasium for a number of years. From 1878 to 1880, had editorial charge of the economic and social departments of the *Frankfurter Zeitung*. In 1881 he qualified for the teaching of political economy and statistics at the University of Munich, and became in 1882 professor at the University of Dorpat; in 1883, professor in ordinary at the University of Basel; in 1890, at the Technical Institute in Karlsruhe; and in 1892, was called to the University of Leipsic as professor of political economy and statistics. Prof. Bücher is considered one of the most original and constructive thinkers among the younger economists of Germany. Is the author of a large number of books and essays on a wide range of topics in economic history and theory, and in statistics. The best known of these are *Die Entstehung der Volkswirtschaft* (Tubingen, 1893, trans. into English from the third German edition by Dr. S. Morley Wickett, Holt, 1901), and *Arbeit und Rythmus* (Leipsic, 1896).

ROBERT HARVEY WHITTEN—Born at South Bend, Ind., in 1873. Educated in public schools and graduated at University of Michigan in 1896. In 1895, received Giles prize of \$150 offered by Chicago Civic Federation for essay on *Best Method of Making Public Improvements in Chicago by Special Assessment*. Studied political science at Chicago and Columbia Universities, receiving degree of Ph. D. from Columbia in 1898. Since 1898, has been sociology librarian and editor of *Legislation Bulletins* of New York State Library. Member of American Economic Association, American Academy of Political and Social Science, Société de Législation Comparée, American Library Association, National Association of State Librarians. Author of *Public Administration in Massachusetts*; *Relation of Central to Local Activity* (1898); *Trend of Legislation in the United States* (1900); *Taxation of Corporations in New York, Massachusetts, Pennsylvania and New Jersey* (1901); *Assessment of Taxes in Chicago*, *Journal of Political Economy* (March, 1897); *Political and Municipal Legislation*, *Annals* (March, 1900 and 1901); *Inheritance Tax*, *Proceedings National Conference on Taxation* (1901).

GEORGE EDWIN BISSELL—Born in New Preston, Conn., in 1839 and educated at district schools, the Northville (Conn.) academy and the "Guernsey" school, Washington, Conn. Taught school and clerked in a store until the Civil War broke out, when he enlisted in the Union Army as a private soldier and served one year, being then transferred to the navy, in which he served as a paymaster in the blockading squadron off Charleston, S. C., till the close of the war. Joined his father and brother in the marble business at Poughkeepsie, N. Y., and began his career

as sculptor there. Later studied art in Rome, Florence and Paris, where he had a studio for about six years. Is a member of the National Sculpture Society, the Architectural League, the Municipal Art Society and the National Arts Club. His most noteworthy works are "Lincoln and Slave" for the Edinburgh monument to Lincoln, "Parting of Robert Burns and Highland Mary" at Ayr, statues of Chancellor John Watts, President Arthur, Col. Abraham De Peyster and Lycurgus in New York, and of Chancellor James Kent in the Congressional Library at Washington.

JOHN G. AGAR—Born in New Orleans, 1856. Graduated from Georgetown University, D. C., with the degree of A. B., in 1876; A. M., in 1886; Ph. D., 1888. Studied law at Columbia University, graduating in 1880, since which date has practiced law in New York City. Was assistant United States attorney for the southern district of New York, 1881-82. Chairman campaign committee, People's Municipal League, 1891. Member of the Board of Education, New York, 1896-98. Is a member of many clubs and organizations prominent in public affairs.

CLINTON ROGERS WOODRUFF—Born December 17, 1868, of a long Philadelphia ancestry. Graduated with first honors from the Central High School and from the collegiate department of the University of Pennsylvania; also studied law and graduated from the law department of the University of Pennsylvania. Was treasurer and secretary of the Philadelphia Municipal League from 1891 to 1897 and is now its counsel. Is also secretary of the National Municipal League, the Pennsylvania Ballot Reform Association and the Public Education Association. Is a member of the executive council of the Pennsylvania Civil Service Reform Association, trustee of the American Institute of Civics, vice-president of the American Humane Union, and connected in various capacities with many similar organizations. Was a member of the Pennsylvania legislature, session of 1897, and was appointed to two of its most important committees, those on the judiciary and general municipal corporations. Although engaged in the active practice of law in Philadelphia, is a frequent contributor to the leading magazines and newspapers.

GUY STANTON FORD—Born at Salem, Wisconsin, 1873. Educated at the public schools of Plainfield, Iowa; Upper Iowa University and the University of Wisconsin, graduating from the latter in 1895. As a graduate student studied at the Universities of Wisconsin, of Berlin, of Göttingen and Columbia University, 1898-1901. From 1895 to 1898 was superintendent of schools at Grand Rapids, Wis. At present is assistant professor of history at Yale University. Is preparing a work on "Hanover from the Treaty of Basel to the French Occupation, 1795-1803," which is to be submitted to Columbia University for the degree of Doctor of Philosophy.

MILO ROY MALTBIE—Born near Hinckley, Ill. Received his early education in the public schools and the preparatory department of Upper Iowa University, graduating from the college in 1892. Spent one year in graduate study at Northwestern University, in 1893 receiving the Dewey prize of \$100 in political and social science, and the Cushing prize of \$100 in municipal government for a dissertation upon *The City Government of Chicago*. From 1893 to 1895 taught higher mathematics and economics in Mount Morris College, Illinois, leaving there to accept the university fellowship in administrative law at Columbia University. Received the degree of Ph. D. from the latter institution in 1897. Was then chosen secretary of the Reform Club Committee on City Affairs and editor of *MUNICIPAL AFFAIRS*. Has lectured on government and municipal problems. Is assistant secretary of the Art Commission of the City of New York. Spent the summer of 1899 studying municipal problems and conditions in Europe. Prize lecturer upon municipal govern-

ment in Columbia University, 1900-1. U. S. Delegate to the Düsseldorf Housing Congress, 1902. Commissioned by the Department of Labor to investigate certain municipal problems in Great Britain. Has written *English Local Government of To-day*; *Central Administrative Control in England*; *The English Local Government Board*; *Municipal Functions*; *A Study of the Development, Scope and Tendency of Municipal Socialism*; *Street Railways of Chicago*, many papers upon other municipal subjects appearing in various magazines; and reports upon proposed franchise grants in several cities.

CLAYTON EDWARD CRAFTS—Born July 8, 1848, at Auburn, Ohio. Attended school at Hiram Eclectic Institute (now known as Hiram College) for five terms. Graduated from the Ohio State and Union Law College at Cleveland, Ohio, in 1868. Was married to Cordelia E. Kent of Aurora, Ohio, in 1869, and immediately removed to Chicago, Illinois, where he commenced the practice of law, and has since resided. Has been a Democratic member of the Illinois House of Representatives since 1883, except in the sessions of 1897 and 1899. Was speaker of the House in the sessions of 1891 and 1893. Is recognized as the leader of his party in the House, having prepared or assisted in formulating most of the important legislation which was enacted during his service in the legislature.

WILLARD E. HOTCHKISS—Born at Amber, New York, June 20, 1874. Educated at the Ithaca High School and Cornell University, holding a state scholarship and graduating in 1897. Accepted a position at the George Junior Republic, and soon was made assistant superintendent, which position he filled until October, 1900. Was appointed to a fellowship at the University Settlement, New York City, and while there investigated the Hebrew Bakers' Strike of that winter. His report on Tenement Bakeries was published in the Year Book of the University Settlement for 1900. During the past year, has been pursuing graduate study in political science and history in Cornell University, and has been elected President White Fellow in Political and Social Science for the year 1902-1903.

EDWARD W. BEMIS—Born in Springfield, Mass., 1860. Graduated from Amherst College in 1880, and received the degree of Ph. D. from Johns Hopkins University in 1885. Was adjunct professor of history and political economy, Vanderbilt University, 1890-92; associate professor at the University of Chicago, 1892-95. Was special agent of the Illinois Bureau of Labor Statistics, 1896-97. Professor of political economy and sociology at Kansas State Agricultural College, 1897-9; member of Bureau of Economic Research, New York City, 1899-01; superintendent of water works, Cleveland, O., since September, 1901. Published, since 1897, *Municipal Monopolies*, 1899; *True Value of Ohio Railroads for Purposes of Taxation*, 1901; *Current Encyclopedia*, July, 1901, article on *Municipal Monopolies*; *The Pilgrim*, June, 1901, article on *Glasgow*; *Testimony before the Industrial Commission*, Vol. IX.; *Annals of the American Academy of Political and Social Science*, November, 1901, article on *Columbus Street Railways*.